

2022 -- H 7611

=====
LC005190
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

—————
A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT – 2021 ACT ON CLIMATE

Introduced By: Representatives Carson, Alzate, Bennett, Solomon, Cortvriend, Ranglin-Vassell, Giraldo, Abney, Donovan, and Speakman

Date Introduced: March 02, 2022

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-6.2 of the General Laws entitled "2021 Act on Climate" is hereby
2 amended by adding thereto the following section:

3 **42-6.2-13. Equity and environmental justice advisory board.**

4 (a) The Rhode Island executive climate change coordinating council equity and
5 environmental justice advisory board is hereby established to advise on decision-making and
6 equitable outcomes. The advisory board shall consist of fifteen (15) members, selected by the chair
7 of the council, representing environmental justice focus areas as defined by statute, regulation
8 and/or policy.

9 (b) The members of the advisory board shall be appointed for terms of three (3) years.
10 Members may be reappointed, and their appointments shall continue until their successors are
11 appointed. A vacancy other than by expiration shall be filled in the manner of the original
12 appointment, but only for the unexpired portion of the term.

13 (c) Members of the advisory board shall be compensated for their time and transportation
14 costs subject to the availability of funds.

15 (d) The chair of the council shall appoint a chairperson. A vice-chairperson and secretary
16 shall be elected annually by the members of the advisory board. All officers of the advisory board
17 shall serve until their successors have been duly elected.

18 (e) The advisory board shall meet at least quarterly or at the call of the chairperson. The
19 chair of the council, or designee, shall be present for all advisory board meetings.

- 1 (f) The advisory board shall have the following purposes and duties:
- 2 (1) Make recommendations for defining overburdened and underserved communities,
3 building on existing criteria and definitions, where applicable;
- 4 (2) Provide recommendations for incorporating equity and environmental justice in the
5 plans required by § 42-6.2-2 and for equitable investments of funding to reduce greenhouse gas
6 emissions;
- 7 (3) Make recommendations for metrics to evaluate how investments of funds to reduce
8 greenhouse gas emissions demonstrably provide direct and meaningful benefits for overburdened
9 and underserved communities;
- 10 (4) Advise the council on issues related to equity and environmental justice;
- 11 (5) Report to the council at each regular council meeting; and
- 12 (6) Prepare an annual report, to be included in the annual report of the council, that
13 specifically addresses the council’s work to advance equity and environmental justice and
14 recommends actions that would further advance equity and environmental justice in the context of
15 the council’s responsibilities.

16 SECTION 2. Section 42-6.2-2 of the General Laws in Chapter 42-6.2 entitled "2021 Act
17 on Climate" is hereby amended to read as follows:

18 **42-6.2-2. Purpose of the council.**

19 (a) The council shall have the following duties:

20 (1) Assess, integrate, and coordinate climate change efforts throughout state agencies to
21 reduce emissions, strengthen the resilience of communities and infrastructure, and prepare for the
22 effects on climate change, including, but not limited to, coordinating vulnerability assessments
23 throughout state government;

24 (2)(i) No later than December 31, 2025, and every five (5) years thereafter, submit to the
25 governor and general assembly an updated plan, following an opportunity for public comment, that
26 includes strategies, programs, and actions to meet economy-wide enforceable targets for
27 greenhouse gas emissions reductions as follows:

28 (A) Ten percent (10%) below 1990 levels by 2020;

29 (B) Forty-five percent (45%) below 1990 levels by 2030;

30 (C) Eighty percent (80%) below 1990 levels by 2040;

31 (D) Net-zero emissions by 2050.

32 No action shall be brought pursuant to: subsection (a)(2)(i)(B) of this section before 2031,
33 pursuant to subsection (a)(2)(i)(C) of this section before 2041, and pursuant to subsection
34 (a)(2)(i)(D) of this section before 2051.

1 (ii) The plan shall also include procedures and public metrics for periodic measurement,
2 not less frequently than once every five (5) years, of progress necessary to meet these targets and
3 for evaluating the possibility of meeting higher targets through cost-effective measures.

4 (iii) The plan shall address in writing the annual input that is provided to the council by its
5 advisory board, as set forth in § 42-6.2-4, ~~and~~ its science and technical advisory board, as set forth
6 in § 42-6.2-5, [and its equity and environmental justice advisory board, as set forth in § 42-6.2-13,](#)
7 in their reports to the council.

8 (iv) If a plan directs an agency to promulgate regulations, then the agency must do so by
9 either issuing an advance notice of proposed rulemaking, as set forth in § 42-35-2.5, no later than
10 six (6) months after the plan is released or by issuing a notice of proposed rulemaking, as set forth
11 in § 42-35-2.7, no later than one year after the plan is released, unless the plan specifies another
12 timeframe for an advance notice of rulemaking or a notice of rulemaking.

13 (v) The plan shall include an equitable transition to climate compliance for environmental
14 justice populations, redress past environmental and public health inequities, and include a process
15 where the interests of and people from populations most vulnerable to the effects of climate change
16 and at risk of pollution, displacement, energy burden, and cost influence such plan. [The equity and
17 environmental justice advisory board established by § 42-6.2-13 shall be consulted and shall
18 provide recommendations with respect to the requirements of this section.](#)

19 (vi) The plan shall identify support for workers during this equitable transition to address
20 inequity in the state by creating quality and family-sustaining clean energy jobs that pay wages and
21 benefits consistent with or that exceed area wage and labor standards. The plan shall provide for
22 the development of programs that directly recruit, train, and retain those underrepresented in the
23 workforce, including women, people of color, indigenous people, veterans, formerly incarcerated
24 people, and people living with disabilities.

25 (vii) The requirements under this subsection shall be subject to the enforcement provisions
26 of § 42-6.2-10 effective in 2026.

27 (viii) No later than December 31, 2022, the council shall submit to the governor and the
28 general assembly an update to the greenhouse gas emission's reduction plan dated "December
29 2016" which shall not be subject to the requirements of subsections (a)(2)(ii) through (a)(2)(vi) of
30 this section. No action shall be brought pursuant to subsection (a)(2)(viii) of this section before
31 2023;

32 (3) Advance the state's understanding of the effects on climate change including, but not
33 limited to: sea level rise; coastal and shoreline changes; severe weather events; critical
34 infrastructure vulnerability; food security; and ecosystem, economic, and health impacts, including

1 the effects of carbon pollution on children's health;

2 (4) Identify strategies to prepare for these effects and communicate them to Rhode
3 Islanders, including strategies that incentivize businesses, institutions, and industry to adapt to
4 climate change;

5 (5) Work with municipalities to support the development of sustainable and resilient
6 communities;

7 (6) Identify and leverage federal, state, and private funding opportunities for emission
8 reduction and climate change preparedness and adaption work in Rhode Island;

9 (7) Advise the governor, the general assembly, and the public on ways to ensure that Rhode
10 Island continues to be a national leader in developing and implementing strategies that effectively
11 address the challenges on climate change;

12 (8) Work with other New England states to explore areas of mutual interest to achieve
13 common goals; and

14 (9) Identify and facilitate opportunities to educate the public about climate change and
15 efforts throughout state agencies and municipalities to address climate change.

16 (b) The council is encouraged to utilize the expertise of Rhode Island universities and
17 colleges in carrying out the duties described in subsection (a) of this section, specifically to ensure
18 that the state's efforts to mitigate and adapt to climate change are based on the best available
19 scientific and technical information, and to optimize the contribution by the universities and
20 colleges of their expertise and experience in research, analysis, modeling, mapping, applications to
21 on-the-ground situations, technical assistance, community outreach, and public education.

22 SECTION 3. This act shall take effect upon passage.

=====
LC005190
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT – 2021 ACT ON CLIMATE

1 This act would establish the Rhode Island executive climate change coordinating council
2 equity and environmental justice advisory board to advise on decision making and equitable
3 outcomes, make recommendations for defining overburdened and underserved communities, and
4 provide recommendations for incorporating equity and environmental justice and equitable
5 investments for funding to reduce greenhouse gas emissions, and report and advise to the council.

6 This act would take effect upon passage.

=====
LC005190
=====