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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

**RELATING TO STATE AFFAIRS AND GOVERNMENT- GOVERNOR'S CLEAN ENERGY
WORKFORCE TRANSITION COMMISSION**

Introduced By: Senators DiPalma, Kallman, DiMario, Lombardo, Ciccone, Euer, and
McCaffrey

Date Introduced: March 10, 2022

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 162

4 GOVERNOR'S CLEAN ENERGY WORKFORCE TRANSITION COMMITTEE

5 **42-162-1. Definitions.**

6 As used in this chapter:

7 (1) "Apprenticeable" means any nationally-recognized occupation that has a pre-existing
8 registered apprenticeship program approved pursuant to 29 C.F.R. Part 29 and Part 30.

9 (2) "Approved apprenticeship program" or "apprenticeship program" means an
10 apprenticeship program that has been approved by the U.S. Department of Labor, or by a
11 recognized state apprenticeship agency, pursuant to 29 C.F.R. Parts 29 and 30; however, such
12 programs shall not include those that have obtained only provisional approval status. The required
13 apprenticeship programs may either be programs that have specifically allocated funding and are
14 subject to the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 et seq.
15 ("ERISA"), or non-ERISA programs financed by general funds of employers.

16 (3) "Environmental justice" means the fair treatment and meaningful involvement of all
17 people regardless of race, color, national origin, English language proficiency, or income with
18 respect to the development, implementation, and enforcement of environmental laws, regulations,

1 and policies.

2 (4) "Environmental justice focus area" means a neighborhood, community, census tract or
3 other geographically bounded region that meets one or more of the following criteria:

4 (i) Annual median household income is not more than sixty-five percent (65%) of the
5 statewide annual median household income;

6 (ii) Minority population is equal to or greater than forty percent (40%) of the population;

7 (iii) Twenty-five percent (25%) or more of the households lack English language
8 proficiency; or

9 (iv) Minorities comprise twenty-five percent (25%) or more of the population and the
10 annual median household income of the municipality in the proposed area does not exceed one
11 hundred fifty percent (150%) of the statewide annual median household income.

12 (5) "Fair treatment" means no group of people should bear a disproportionate share of the
13 negative environmental consequences resulting from industrial, governmental, or commercial
14 operations or policies.

15 (6) "Meaningful involvement" means:

16 (i) People have an opportunity to participate in decisions about activities that may affect
17 their environment and/or health;

18 (ii) The public's contribution can influence the regulator agency's decision;

19 (iii) Community concerns will be considered in the decision-making process; and

20 (iv) Decision makers will seek out and facilitate the involvement of those potentially
21 affected.

22 **42-162-2. Establishment of the clean energy workforce transition committee.**

23 There is established an independent clean energy workforce transition advisory committee
24 of the governor's workforce board to be known as "the governor's clean energy workforce transition
25 committee," (the "committee") that shall have as its purposes the evaluation, planning, and
26 coordination of efforts to increase access to employment and training opportunities in clean energy
27 industries and related fields. The committee shall:

28 (1) Work with stakeholders in clean energy and related fields, including industry leaders,
29 labor organizations, and community-based organizations to ensure a properly trained workforce is
30 able and ready to deploy the projects and technologies needed to meet the benchmarks established
31 in chapter 6.2 of title 42;

32 (2) Ensure immediate access to training and employment opportunities in clean energy
33 industries and related fields for:

34 (i) Workers employed in the energy sector who are impacted by efforts of the state and the

1 private sector to decarbonize the economy; and

2 (ii) Residents of low-income communities and environmental justice focus areas; and

3 (3) Ensure the provisions of this chapter are accomplished by following environmental
4 justice principles.

5 (4) Be subject to the provisions of chapter 46 of title 42 ("open meetings act") and chapter
6 2 of title 38 ("access to public records act").

7 **42-162-3. Composition of clean energy workforce transition committee.**

8 The clean energy workforce transition committee shall be composed of nineteen (19)
9 members to be designated by the chair of the governor's workforce board; one of whom shall be
10 the director of the department of labor and training, or designee; one of whom shall be the
11 chairperson of the state apprenticeship council as established in § 28-45-2; one of whom shall be
12 the chairperson of the governor's workforce board; one of whom shall be the chairperson of the
13 executive climate change coordinating council, or designee; one of whom shall be the
14 commissioner of the office of energy resources, or designee; one of whom shall be a representative
15 of a public institution of higher education in Rhode Island; one of whom shall be a representative
16 of an employer in the utility sector; one of whom shall be a representative of employers in the
17 renewable electricity sector; one of whom shall be a representative of employers in the clean
18 transportation sector; one of whom shall be a representative of employers in the clean heating
19 sector; one of whom shall be a representative of employees in the gas utility sector as recommended
20 by the president of the Rhode Island AFL-CIO; one of whom shall be a representative of employees
21 in the electric utility sector as recommended by the president of the Rhode Island AFL-CIO; one
22 of whom shall be a representative of employees in the transportation sector as recommended by the
23 president of the Rhode Island AFL-CIO; two (2) of whom shall be representatives of employees in
24 the clean energy sector as recommended by the president of the Rhode Island AFL-CIO; one of
25 whom shall be the president of the Rhode Island Building and Construction Trades Council; one of
26 whom shall be a member of the Narragansett Indian Tribe appointed by the Narragansett Tribal
27 Council; and two (2) of whom shall be residents from environmental justice focus areas appointed
28 by the director of the department of health.

29 **42-162-4. Compensation and expenses.**

30 The members of the clean energy workforce transition committee who serve the committee
31 in a capacity related to their professional occupation shall receive no compensation for their
32 services. Members serving the committee in a capacity unrelated to their professional occupation
33 shall be compensated for their time performing their official duties. All members may, at the
34 discretion of the executive director of the governor's workforce board, be reimbursed for traveling

1 and other expenses actually incurred in the performance of their official duties. The compensation
2 and the administrative costs shall be drawn from the budget of the governor's workforce board.

3 **42-162-5. Powers and duties.**

4 The clean energy workforce transition committee shall have the following duties:

5 (1) Identify federal and state funds to support any provisions of this chapter, including, but
6 not limited to, any relevant workforce training programs and the implementation of policies
7 identified or recommended by the committee and/or the governor's workforce board.

8 (i) Federal funding opportunities that the committee shall examine include, but are not
9 limited to, discretionary federal funding opportunities provided under 29 U.S. Code Ch. 32
10 (workforce innovation and opportunity) with the goal of providing climate adjustment assistance
11 benefits that are similar in type, amount, and duration to federal Trade Adjustment Assistance
12 Benefits available pursuant to 20 CFR Part 618;

13 (ii) The committee may pursue inquiries and applications for funds to support the
14 provisions of this chapter.

15 (2) Regularly assess, integrate, coordinate, and consult with relevant state agencies, boards,
16 councils, and commissions in its implementation of the provisions of this chapter.

17 (3) Prepare a workforce transition strategic plan. The committee shall coordinate with the
18 department of labor and training, labor market information division, and the governor's workforce
19 board in the preparation of the plan. The plan shall include objectives and benchmarks, which shall
20 be tracked, measured, and evaluated throughout the lifetime of the plan. The plan shall be published
21 no later than October 1, 2023 and updated every two (2) years. The plan shall:

22 (i) Include labor market survey data that enables the committee to:

23 (A) Identify and understand the universe of workers currently employed in the energy
24 sector by industry, trade, and job classification, along with corresponding relevant information,
25 including, but not limited to, current wage and benefit packages and current licensing, certification
26 and training requirements;

27 (B) Identify and understand the universe of industries projected to adjust operations,
28 downsize, and or close due to efforts by the state and the private sector to decarbonize;

29 (C) Identify and understand the universe of industries and technologies that are projected
30 to grow and evolve due to changes in design, construction, and operations strategies to decarbonize
31 the economy; and

32 (D) Identify and understand the profile of residents living in low-income communities and
33 environmental justice focus areas who would benefit from accessing training and employment
34 opportunities in clean energy and related industries.

1 (ii) Recommend procedures and protocols to support impacted employers in the creation
2 and submittal of workforce reduction plans to state and federal entities, in a manner consistent with
3 the federal worker adjustment and retraining notification act (WARN Act, 29 U.S. Code 2100 et.
4 seq.) and to 29 U.S. Code Ch. 23.

5 (iii) Include objectives and benchmarks including, but not be limited to:

6 (A) Collection of relevant findings and data that enable the committee to accomplish the
7 provisions of this chapter;

8 (B) A timeline for each recommendation outlined in the strategic plan, including, but not
9 limited to, the establishment of a just transition fund;

10 (C) Associated costs with each recommendation and potential funding streams; and

11 (D) Procedures and public metrics for periodic measurement necessary to accomplish
12 recommendations, objectives, and programs outlined in the plan.

13 (iv) Recommend policies, actions, as well as education and training programs to enhance
14 re-employment opportunities within the energy sector, as well as services to support energy sector
15 workers impacted as a result of decarbonization efforts and advancements in clean energy
16 technology.

17 (v) Recommend policies, actions, as well as education and training programs to increase
18 access and opportunities for residents of low-income communities and environmental justice focus
19 areas to work in clean energy industries.

20 (vi) Include an outline of the necessary mechanisms, structures, policies, and potential state
21 and federal funding streams to establish a workforce transition fund to support impacted workers
22 and the provisions of this chapter.

23 (4) Identify federal and state funds to support any provisions of this chapter, including, but
24 not limited to, any relevant workforce training programs and the implementation of policies
25 identified or recommended by the committee and/or the governor's workforce board.

26 (i) Federal funding opportunities that the committee shall examine include, but are not
27 limited to, discretionary federal funding opportunities provided under 29 USC Chapter 32 with the
28 goal of providing climate adjustment assistance benefits that are similar in type, amount, and
29 duration to federal Trade Adjustment Assistance Benefits available pursuant to 20 CFR Part 618;
30 and

31 (ii) The committee may pursue inquiries and applications for funds to support the
32 provisions of this chapter.

33 **42-162-6. Cohesion with other departments, boards, and commissions.**

34 The clean energy workforce transition committee shall coordinate and consult with the

1 department of labor and training, the governor's workforce board, and the state apprenticeship
2 council to establish policies and programs to:

3 (1) Educate impacted workers, in collaboration with employers of impacted workers and
4 relevant labor unions, on re-employment or training opportunities through approved apprenticeship
5 programs, and how to apply for climate adjustment assistance benefits;

6 (2) Provide training, cross-training, and re-training to workers impacted by gas
7 infrastructure loss in the state's local distribution companies and related businesses;

8 (3) Address the workforce development challenges of the fossil fuel energy sector's
9 shrinking workforce over the course of the state's thirty (30) year transition to a clean energy
10 economy;

11 (4) Incentivize the hiring of impacted energy sector workers with utilities, clean energy
12 industries, and related industries;

13 (5) Increase access to employment and training opportunities in clean energy industries
14 and related fields for residents of low-income communities and environmental justice focus areas;

15 (6) The executive office of commerce and the office of energy resources to ensure that
16 training and employment opportunities for impacted energy sector workers are included in their
17 initiatives, incentives, funding opportunities, and projects;

18 (7) The public utilities commission, the department of public utilities and carriers, and other
19 entities regulating the energy sector within the state to coordinate workforce transition initiatives,
20 complementing the other regulatory priorities of those agencies; and

21 (8) The executive climate change coordinating council, to support the provisions of this
22 chapter and to support the provisions of chapter 6.2 of title 42.

23 **42-162-7. Severability.**

24 If any provision of this chapter, or its application to any person or circumstance, is held
25 invalid, the remainder of the chapter and the application of the provision to other persons or
26 circumstances shall not be affected by the invalidity.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT- GOVERNOR'S CLEAN ENERGY
WORKFORCE TRANSITION COMMISSION

1 This act creates the governor's clean energy workforce transition committee with the
2 primary purpose of preparing a clean energy workforce transition strategic plan. The committee
3 would consist of nineteen (19) members.

4 This act would take effect upon passage.

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