

Equity in State 100% Clean Energy Legislation and Executive Orders

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The [Clean Energy States Alliance](#) (CESA) created the [100% Clean Energy Collaborative](#) to assist states that have 100% clean energy goals by providing knowledge-sharing activities and analysis so that they can address program challenges and opportunities. The primary participants in the Collaborative are state agency officials with responsibilities for achieving their state's zero-carbon goals, as well as policymakers in other states who may consider establishing similar goals. Through the Collaborative, participants share program insights, engage with analysts who are studying solutions to technical challenges, and participate in Collaborative meetings. www.cesa.org/100

To ensure the success of the Collaborative, CESA has entered into a partnership with the [U.S. Climate Alliance](#) (USCA), a bipartisan coalition of governors committed to reducing greenhouse gas emissions consistent with the goals of the Paris Agreement. CESA and USCA are coordinating their respective activities to create synergies and avoid duplication.

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About the Clean Energy States Alliance

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Introduction

In 2015, Hawaii became the first state to establish a goal of 100% clean energy. In the years since, 19 additional states, the District of Columbia, and Puerto Rico have followed suit. These goals aim to achieve 100% clean energy either for the electricity sector or economy wide. Legislatures in 15 of the states have codified the goals in law. In the remaining five states, the targets were set through a Governor’s executive order. The majority of Americans now lives in places that have a 100% clean energy goal.¹ As states continue to adopt and expand ambitious clean energy targets, a focus on incorporating equity and environmental justice in state clean energy policies has become increasingly more important. Many states have provisions related to equity and environmental justice in their 100% clean energy legislation or executive orders.

For this report, the author reviewed currently enacted 100% clean energy legislation and executive orders in 20 US states and the District of Columbia. The legislation and orders are analyzed through an equity and environmental justice lens. The report provides a summary of how equity has been included in the legislation and executive orders. However, it does not assess the quality or effectiveness of any particular policy. By condensing information from many states in one place, we hope the report will make it easier for various stakeholders to understand what has been done so far and will inform future policy development. A detailed list of the legislation and executive orders that were reviewed for this report is included in Appendix A.

To conduct this analysis, equity-related provisions in 100% clean energy legislation were identified. The report outlines different states’ definitions of equity and environmental justice, then analyzes states’ approaches regarding the recognition of inequitable climate impacts, proposed mitigation solutions, and planning and implementation processes. These concepts are also referred to as recognition justice, distributional justice, and procedural justice, respectively.

¹ “Table of 100% Clean Energy States,” Clean Energy States Alliance, <https://www.cesa.org/projects/100-clean-energy-collaborative/guide/table-of-100-clean-energy-states> (accessed October 6, 2022).

Defining Equity

States use a variety of terms and definitions when discussing equity-related concepts and referring to disproportionately affected communities. These terms include “equity,” “environmental justice,” “environmental justice community,” “disadvantaged community,” “historically disadvantaged community,” “overburdened community,” “underserved community,” “frontline community,” and others. Most states do not have formal definitions for these terms, but six states—Illinois, Massachusetts, Maryland, New York, Oregon, and Virginia—have statutory definitions of at least one equity-related term in their legislation. Those definitions are included in Appendix B.

Among these six states, environmental justice has been defined most frequently, with definitions primarily centering around mitigating the disproportionate health and environmental impacts that different communities have historically faced and presently face:

- [Oregon HB 2021](#) defines environmental justice as “equal protection from environmental and health standards and meaningful public participation in decisions that affect the environment in which people live, work, learn, practice spirituality and play.”
- [Maryland SB 528](#) defines environmental justice as “equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.”

Some states have established definitions around affected communities, including terms like “disadvantaged communities” or “environmental justice communities.” States have chosen to define these communities based on a variety of factors, including income, race, and geography, in addition to other considerations like proximity to areas of high pollution, concentration of investment or lack thereof, environmental benefits and burdens, and health impacts:

- [Oregon HB 2021](#) designates environmental justice communities as “communities of color, communities experiencing lower incomes, tribal communities, rural communities, coastal communities, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including seniors, youth and persons with disabilities.”
- [Massachusetts Bill S.9](#) considers a range of criteria centered around income and race to define an “environmental justice population.”

Other states use different terms that are centered around similar concepts:

- [New York SB 6599](#) uses the term “disadvantaged communities” to describe communities that bear health and environmental burdens associated with climate change and environmental pollution and demonstrate low socioeconomic status.
- [Virginia SB 851](#) defines “historically economically disadvantaged communities” based on race and income.
- [Maryland SB 528](#) defines an “overburdened community” based on health impacts and “underserved community” based on race and income.
- [Illinois SB 2408](#) defines several other terms, including BIPOC, or populations that identify as Black, indigenous, and people of color, and “equity-focused populations,” which include low-income populations, BIPOC communities, formerly convicted people, people who “are or were in the child welfare system,” energy workers, dependents of displaced energy workers, women, LGBTQ+ and gender non-conforming people, people with disabilities, and youth.

Although some states include race in their definition of equity, others do not. For example, [Illinois SB 2408](#) defines environmental justice communities as those where “residents have historically been subject to disproportionate burdens of pollution” without consideration of “racial and ethnic indicators.” Additionally, [Massachusetts Bill S.9](#) defines environmental justice as encompassing efforts to “support protection from environmental pollution and the ability to live in and enjoy a clean and healthy environment,” including “the meaningful involvement of all people with respect to the development, implementation and enforcement of environmental laws, regulations, and policies” and the “equitable distribution of energy and environmental benefits and environmental burdens.”

These definitions of equity and environmental justice terms primarily revolve around recognizing the historical injustices that certain communities—particularly low-income communities and communities of color—have faced regarding the environmental, health, and economic impacts of energy generation. Studies have well documented the disproportionate impacts that these communities have traditionally faced. It is therefore critical that 100% clean energy planning efforts address these historical injustices and make sure that such communities are not left out of the energy transition, but rather meaningfully benefit from the clean energy transition. Providing clearly outlined definitions of equity and environmental justice terms in legislation and executive orders ensures that stakeholders can properly interpret such policies and that the state effectively and directly targets the intended communities and populations.

Equity of Impacts (Recognition Justice)

Numerous studies, including a 2021 analysis from the US Environmental Protection Agency (EPA), have documented the disproportionate impacts of climate change on different communities, with especially large impacts falling on “environmental justice” populations that primarily include low-income communities, communities of color, and other vulnerable or underserved communities.² These populations have been more vulnerable to climate-related impacts, including heat waves, floods, air pollution, and exposure to toxic chemicals. For instance, the EPA found that Black and African American individuals are “34% more likely to currently live in areas with the highest projected increases in childhood asthma diagnoses” and “40% more likely to currently live in areas with the highest projected increases in extreme temperature deaths,” while Hispanics and Latinos are “43% more likely to currently live in areas with the highest projected reductions in labor hours due to extreme temperatures” and “50% more likely to currently live in areas with the highest estimated increases in traffic delays due to increases in coastal flooding.” These populations live in places that have typically received less direct investment and benefits associated with the clean energy transition.

Several states have acknowledged these disproportionate impacts in their 100% clean energy legislation and executive orders. Building on research from the Initiative for Energy Justice (IJE), the US Department of Energy (DOE) refers to this concept as *recognition justice*, which consists of “innovations and solutions that promote equity by addressing historic and ongoing inequalities.”³ Appendix C documents the legislation and executive orders that refer to equity of impacts.

Discussion of inequitable climate impacts has been particularly common in executive orders, with three of six states with 100% clean energy executive orders making these references:

- [Louisiana JBE 2020-18](#) recognizes that “impacts from climate change will be disproportionately felt by the residents of our state with the fewest resources.”
- [Michigan Executive Directive 2020-10](#) acknowledges that climate change “threatens the health and well-being of our residents, with communities of color and low-income Michiganders suffering most.”

² “Climate Change and Social Vulnerability in the United States: A Focus on Six Impacts,” United States Environmental Protection Agency, <https://www.epa.gov/cira/social-vulnerability-report> (accessed October 6, 2022).

³ Patricia Romero-Lankao and Erin Nobler, “Energy Justice: Key Concepts and Metrics Relevant to EERE Transportation Projects,” National Renewable Energy Laboratory, <https://afdc.energy.gov/files/pdfs/energy-justice-key-concepts.pdf>, p. 2 (accessed October 6, 2022).

- [Wisconsin EO #38](#) makes specific reference to the disproportionate impacts of climate change with regards to intergenerational equity in addition to the threats it poses to “communities that lack the resources and geographic mobility to adapt to changes, including pronounced threats to the cultural resources, economic vitality, and human health of Native Nations.”

In addition, the 100% clean energy legislation of three states—Illinois, Maine, and New York—recognizes the historic inequity of climate impacts. For example, [Illinois SB 2408](#) states that “assisting communities that have borne disproportionate impacts from climate change” will require “changes to the business model under which utilities in Illinois have traditionally functioned,” while [New York SB 6599](#) notes that “climate change especially heightens the vulnerability of disadvantaged communities, which bear environmental and socioeconomic burdens as well as legacies of racial and ethnic discrimination.”

Equity of Solutions (Distributional Justice)

Most often, states have addressed equity and environmental justice in legislation and executive orders through proposed policies, investments, programs, and other solutions to mitigate climate change in an equitable manner. DOE refers to this principle as *distributional justice*, or an effort to “ensure the fair distribution of benefits or negative impacts” associated with a particular policy.⁴ Appendix D documents the myriad ways in which states have considered incorporating equity into the design and implementation of clean energy solutions.

Many states articulate the need for an overarching equity and environmental justice lens or framework through which to approach the design and implementation of clean energy solutions. These statements tend to be general in nature:

- [Hawaii HB 1800](#) requires the state energy office to “consider impacts to environmental justice, frontline, and low-income communities and make recommendations for how to mitigate any impacts to these communities” in state energy policies.
- [Illinois SB 2408](#) states that the state legislature recognizes the value of Illinois having economic opportunities to promote “wealth building, especially in economically disadvantaged communities and communities of color.”
- [Maine LD 1679](#) states that the revised climate action plan should encourage “diversity, inclusion and equity” while taking actions that “minimize deleterious effects, including those on low-income and moderate-income persons.”
- [Maryland SB 528](#) directs each state agency to take into account the “likely impact of the agency’s decisions on disproportionately affected communities” and to “optimize the economic, health, social, and environmental value of community-scale infrastructure for resilience and energy equity.”
- [New York SB 6599](#) requires emissions mitigation actions to “prioritize the safety and health of disadvantaged communities, control potential regressive impacts of future climate change mitigation and adaptation policies on these communities, and prioritize the public allocation of public investments in these areas.”

⁴ Patricia Romero-Lankao and Erin Nobler, “Energy Justice: Key Concepts and Metrics Relevant to EERE Transportation Projects,” National Renewable Energy Laboratory, <https://afdc.energy.gov/files/pdfs/energy-justice-key-concepts.pdf>, p. 2 (accessed October 6, 2022).

- Other states that recognize historical environmental injustices include California, Connecticut, Massachusetts, Michigan, Oregon, Virginia, and Washington.

Different states approach distributional justice through different means. Several states dedicate a portion of funds received through renewable portfolio standards (RPS) towards environmental justice and equity initiatives. Typically, funding for these investments come from alternative compliance payments (ACPs), or alternative mechanisms for electricity suppliers to achieve compliance with the RPS:

- The [District of Columbia Act 22-583](#) dedicates 30 percent of funds raised to benefit low-income residents.
- [Maryland SB 528](#) invests 40 percent of the fund balance towards qualified projects in low- to moderate-income communities.
- [Virginia SB 851](#) invests 30 percent of revenue from alternative compliance payments to renewable energy programs in historically economically disadvantaged communities.

In other situations, more specific investments are mandated:

- [District of Columbia Act 22-583](#) dedicates \$3 million annually towards energy efficiency upgrades for affordable housing.
- [New York SB 6599](#) directs state agencies, authorities, and entities to create programs such that 40 percent of overall benefits of spending on clean energy and energy efficiency programs, projects, and investments in areas of “housing, workforce development, pollution reduction, low-income energy assistance, energy, transportation, and economic development” will benefit disadvantaged communities.

States have also proposed the creation of new programs that seek to advance equity and environmental justice for targeted populations:

- [New York SB 6599](#) requires the deployment of community air monitoring systems for “highest priority locations in disadvantaged communities” and “communities with potentially high exposure burdens for toxic air contaminants and criteria air pollutants,” in addition to the development of a strategy to “reduce emissions of toxic air pollutants and criteria air pollutants in disadvantaged communities affected by a high cumulative exposure burden,” including assessment of these communities and analysis of opportunities and barriers to emissions reductions.

- [Massachusetts Bill S.9](#) creates an expendable trust that provides a solar grant program for nonprofits offering food security, emergency shelter, and other services; additionally, it creates a “clean energy equity workforce and market development program to provide workforce training, educational and professional development, job placement, startup opportunities and grants promoting participation” for historically underrepresented communities and environmental justice communities.
- [Virginia SB 851](#) establishes energy efficiency programs to assist low-income consumers in addition to the elderly, veterans, and disabled individuals.
- [Illinois SB 2408](#) establishes a set of new programs to advance energy equity, including the following:
 - The Jobs and Environmental Justice Grant Program to provide upfront capital to support economic initiatives advancing equity
 - A Climate Bank to provide financial assistance and improve accessibility for stakeholders to mitigate and adapt to climate change in an equitable manner
 - The Clean Energy Jobs and Justice Fund Act to “ensure that the benefits of the clean energy economy are equitable distributed,” including robust financing and investment opportunities for minority business enterprises and historically underrepresented populations for contractors
 - The Energy Transition Assistance Fund, an Illinois Power Agency Renewable Energy Resources Fund and an Illinois Solar for All Program to provide incentives for low-income solar projects, a fund to support financing and investment to “foster the development and commercialization of clean energy projects” with a focus on low-income and environmental justice communities
 - The Clean Jobs Workforce Network Program to provide education and recruitment of equity-focused populations, and other initiatives to advance robust and inclusive stakeholder engagement.

Several states also focus on a “just transition” so that workers displaced in the energy transition are not disproportionately burdened. [Colorado SB 19-236](#), [Illinois SB 2408](#), and [New Mexico SB 489](#) outline processes for ensuring a just transition for displaced workers and for creating community assistance programs, including the establishment of funds to invest in displaced workers and training programs.

Additionally, [Michigan Executive Directive 2020-10](#) proposes initiatives to develop and implement an Energy Transition Impact Project to identify communities impacted by the energy transition and “minimize those impacts and dislocation, including loss of employment, property tax revenues, and related community services” and to engage communities and displaced workers in “discussion about opportunities for new development to offset losses of existing facilities, identify models used elsewhere that have successfully addressed large scale disruptions, and identify resources.” Other states advancing energy transition measures include Maryland, New York, and Oregon.

Some states require utilities to incorporate equity and environmental justice into their integrated resource planning and other energy planning processes:

- [Illinois SB 2408](#) requires utilities to “implement energy efficiency measures targeted at low-income households” and “bundle low-income energy efficiency offerings with other programs that serve low-income households to maximize the benefits going to these households,” prohibits utilities from enacting deposits for low-income residential customers or applications, asks utilities to demonstrate how their spending advances equity goals, requires utilities to enable “equitable disconnections” and “arrearages as a result of utility credit and collection practices,” and proposes the establishment of performance incentives mechanisms to ensure equity and benefits to environmental justice communities.
- [New York SB 6599](#) directs certain state agencies and investor-owned utilities to “develop and report metrics for energy savings and clean energy market penetration in the low- and moderate-income market and in disadvantaged communities.”
- [North Carolina HB 951](#) requires the North Carolina Utilities Commission to consider whether performance-based regulations reduce low-income energy burdens and advance equity in contracting while ensuring “no customer or class of customers is unreasonably harmed” and that electricity rates are “fair both to the electric public utility and to the consumer.”
- [Oregon HB 2021](#) requires electric companies and their Community Benefits and Impacts Advisory Group to produce a biennial report for the Public Utility Commission that considers “community benefits and impacts of the electric company” that include analyses of “energy burden and disconnections for residential customers,” “opportunities to increase contracting with businesses” owned by historically underrepresented populations, actions taken in environmental justice communities to improve resilience and clean energy objectives, and environmental justice co-benefits.

- [Washington SB 5116](#) requires electric utilities to ensure customers benefit from the clean energy transition through the “equitable distribution of energy and nonenergy benefits and reduction of burdens to vulnerable populations and highly impacted communities,” make programs and funding for energy assistance for low-income households available, consider energy burden impacts, submit reports on programs and measures taken to mitigate energy burden concerns, and conduct outreach strategies that include “consultation with community-based organizations and Indian tribes...that are linguistically and culturally appropriate to the customers they serve in vulnerable populations.”
- Other states with similar efforts include Colorado and the District of Columbia.

Measurement, reporting, and verification (MRV) of equity and environmental justice metrics play an important role in how states are advancing equity and environmental justice principles:

- [Illinois SB 2408](#) requires the state energy agency to “create an easily accessible, public facing online tool,” including a map of environmental justice communities.
- [Maryland SB 528](#) requires state agencies, including the Department of the Environment and the Commission on Environmental Justice and Sustainable Communities, to report on metrics and impacts relevant to underserved and overburdened communities, including the “percentage of the funding that benefited disproportionately affected communities,” and adopt methodologies for “identifying communities disproportionately impacted by climate impacts.”
- [Massachusetts Bill S.9](#) has MRV provisions including an “environmental impact report” for certain projects regarding environmental justice burdens in addition to “standards and guidelines for the implementation, administration, and periodic review of environmental justice principles” by certain state agencies and offices.
- [New York SB 6599](#) requires a regular report regarding barriers to and opportunities for “community ownership of services and commodities in disadvantaged communities.”
- [Oregon HB 2021](#) requires the Community Renewable Investment Program to “incorporate energy metrics developed in coordination with the Environmental Justice Task Force.”

Climate adaptation and resilience are also given consideration in the design and implementation of climate solutions with a focus on equity and environmental justice:

- [Maryland SB 528](#) creates a Chesapeake Conservation Corps Program to prepare underserved and geographically vulnerable populations for climate impacts and pursue adaptation measures and directs the state to prioritize vulnerable communities in the development of distributed energy resources for electric distribution system planning efforts.
- [Massachusetts Bill S.9](#) enables municipalities to leverage renewable energy resources for climate resiliency objectives.

States have also taken steps to advance equity through procurement and contracting of goods and services:

- [Illinois SB 2408](#) establishes standards for diversity, equity, and inclusion for procurement and project contracts and labor agreements and prioritizes access for historically underrepresented populations.
- [Oregon HB 2021](#) requires responsible contractor labor standards, including provisions for “outreach, recruitment, and retention of women, minority individuals, veterans and people with disabilities” with a target of “at least 15 percent of total work hours performed” by such individuals.
- [Washington SB 5116](#) includes a partial tax exemption for procurement and contracts involving women, minority, or veteran-owned businesses.

There are other ways states have attempted to advance equity and environmental justice impacts through narrow, targeted provisions:

- [Maryland SB 528](#) requires the development of a plan to include recommendations to establish “low-income household retrofit targets and heat pump sales targets.”
- [New York SB 6599](#) seeks to deploy energy storage resources to reduce usage of “combustion-powered peaking facilities located in or near disadvantaged communities.”
- [Rhode Island SB 2274](#) establishes two demonstration projects involving renewable energy generation for affordable housing units.

Equity of Processes (Procedural Justice)

Most states with 100% clean energy goals have incorporated equity into clean energy planning and implementation processes. They have done so in two primary ways: (1) efforts to ensure representation of a diverse range of stakeholders, particularly historically underrepresented communities, on governance bodies, and (2) the inclusion of diverse perspectives and intentional outreach to environmental justice populations through stakeholder engagement initiatives. DOE refers to this concept of incorporating equity into processes as *procedural justice*, which includes efforts to “achieve equity by including women, elderly, the working class, rural, and other underrepresented racial or ethnic groups in framing the mobility and energy needs and innovations to address those needs.” Appendix E catalogs these considerations.

Many of the states considered in this analysis have a formal governing body—such as a council, task force, or committee on climate change—that helps advise and inform the state’s approach to clean energy planning, some of which were established as a result of 100% clean energy legislation or executive orders.

Some states rely on existing bodies; for example, [Maine LD 1679](#) requires the Maine Climate Change Council to include one member to “represent Maine’s tribes.”

Many created new governance structures, such as the following:

- [Connecticut EO #3](#) established a Governor’s Council on Climate Change, which must include two individuals who “shall represent health, equity, affordability, or environmental justice.”
- [Illinois SB 2408](#) creates an Energy Workforce Advisory Council and Beneficial Electrification Commission with representation from diverse stakeholders including environmental justice and low-income communities.
- [Louisiana JBE 2020-18](#) established a Climate Initiatives Task Force that includes a “member of the environmental justice community” and a “member of an indigenous tribe, nation, or community.”
- [Massachusetts Bill S.9](#) creates an environmental justice council that advises on policies, standards, and regulations to advance environmental justice impacts and principles.
- [New York SB 6599](#) creates a New York state climate action council that includes at-large members with expertise in issues including environmental justice, advisory panels that coordinate with the environmental justice advisory group, a climate justice working

group consisting of stakeholders from environmental justice communities, and a just transition working group that advises on workforce development for disadvantaged communities and “segments of the population that may be underrepresented in the clean energy workforce.”

- [Washington SB 5116](#) establishes an energy strategy advisory committee that includes at least one person “recommended by Washington Indian tribes” and at least one person to serve as a “representative of a civic organization that represents vulnerable populations.”

Some states established even more granular focus on incorporating equity into specific governance bodies:

- [District of Columbia Act 22-583](#) established a Building Energy Performance Standards Task Force that includes affordable housing representatives.
- [Maryland SB 528](#) created a Just Transition Employment and Retraining Working Group of the Commission that includes at least one representative who is a “formerly incarcerated individual,” two representatives who are “women in selected industries,” and two representatives “selected by the Maryland State Chapter of the NAACP.”
- [Illinois SB 2408](#) established three regional administrators with “cultural and language competency” and “expertise in working in and with BIPOC and environmental justice communities.”
- [Oregon HB 2021](#) required electric companies to convene a Community Benefits and Impacts Advisory Group that consists of “representatives of environmental justice communities and low-income ratepayers.”

Some states require energy planning stakeholder engagement processes to include a diverse range of perspectives, particularly ones from environmental justice communities, historically marginalized and underrepresented communities, communities of color, and low-income communities:

- [Massachusetts Bill S.9](#) mandates a “geographically diverse” stakeholder engagement process with at least one engagement “held in an underserved community or community with a high percentage of low-income households.”
- [Illinois SB 2408](#) establishes a Community Energy, Climate, and Jobs Planning process to engage environmental justice organizations and “receive input from as diverse a set of

perspectives as possible” with translation into languages that “reflect the makeup of the local community.”

- [Maryland SB 528](#) directs the state to “solicit input from all segments that will be impacted...including individuals living in areas that may be identified as disproportionately affected communities.”
- [New York SB 6599](#) requires an extensive stakeholder engagement process based on “geographic, public health, environmental hazard, and socioeconomic criteria” to identify disadvantaged communities.
- [Oregon HB 2021](#) emphasizes that the state intends to engage in “meaningful consultation with federally recognized Indian tribes” on issues including “consultation on the siting, permitting, and construction of new energy facilities.”
- [Wisconsin EO #38](#) specifies that development of the state’s clean energy plan should include input from Native Nations.

Some states also take measures to ensure proper accountability of equity considerations, including [Virginia SB 851](#), which requires the Department of Mines, Minerals and Energy and the Council on Environmental Justice to evaluate every three years “whether implementation of this act imposes a disproportionate burden on historically economically disadvantaged communities,” and [New York SB 6599](#), which requires regular reporting of progress and determining whether actions taken “disproportionately burden disadvantaged communities.”

Prioritizing diverse representation and inclusive stakeholder engagement processes is critical to ensure that equity and environmental justice considerations are meaningfully and appropriately embedded into states’ energy planning processes. It also ensures that stakeholders, particularly those who will experience the greatest impacts of a particular policy, have an opportunity to meaningfully contribute their perspectives regarding proposed policy, building greater community support for its implementation in the process.

Initiative for Energy Justice Scorecard

The Initiative for Energy Justice has been one of the organizations most active in evaluating 100% clean energy legislation from an environmental justice perspective. The Initiative “was founded in 2018 by three lawyers of color entrenched in the debates concerning the nation’s transition away from fossil fuels and an extractive economy towards an equitable and renewable energy future.” It “provides law and policy resources to advocates and policymakers to advance state-level transitions to equitable renewable energy.”⁵

In early 2021, the Initiative published *Justice in 100 Scorecard: Evaluating Equity in 100% Renewable Energy or 100% Clean Energy Laws*.⁶ The Scorecard focuses on five areas: “the process for developing the law,” “whether the law addresses the harms communities have faced in the current energy system,” “the role marginalized communities play in the implementation of the law,” “the range of benefits provided by the law,” and “the degree of energy access achieved by the law.”⁷ It creates a numerical scoring system with a series of detailed elements within each of the five areas.

States can examine the scorecard to see the many considerations related to 100% clean energy legislation that environmental justice advocates view as relevant and important.

The Initiative for Energy Justice, with input from 50 individuals across the country, applied the Scorecard to legislation passed in eight states plus in the District of Columbia and Puerto Rico. Those scoring exercises were published in a beta version in October 2021 as *Justice in 100 Scorecard Case Studies*.⁸

The Initiative intends to publish a final version of the case studies in the coming months.

⁵ Initiative for Energy Justice, website, <https://iejusa.org> (accessed October 7, 2022).

⁶ Cecelia Bolon et al., “Justice in 100 Scorecard: Evaluating Equity in 100% Renewable Energy or 100% Clean Energy Laws,” Initiative for Energy Justice, January 2021, <https://iejusa.org/wp-content/uploads/2021/09/Justice-in-100-Scorecard-Interactive-PDF-Final-Version.pdf> (accessed October 7, 2022).

⁷ Cecelia Bolon et al., “Justice in 100 Scorecard: Evaluating Equity in 100% Renewable Energy or 100% Clean Energy Laws,” Initiative for Energy Justice, January 2021, <https://iejusa.org/wp-content/uploads/2021/09/Justice-in-100-Scorecard-Interactive-PDF-Final-Version.pdf> (accessed October 7, 2022).

⁸ Cecelia Bolon et al., “Justice in 100 Scorecard Case Studies (Beta Version),” Initiative for Energy Justice, October 2021, <https://iejusa.org/justice-in-100-case-studies-beta> (accessed October 7, 2022).

Conclusion

As states continue to move aggressively to decarbonize the electricity supply and the energy system, efforts to prioritize equity and environmental justice will only become more important. States have used a variety of ways to incorporate equity and environmental justice considerations in their 100% clean energy legislation and executive orders. In particular, they have incorporated discussion of definitions of equity, equity of impacts, equity of solutions, and equity of processes regarding climate change and the energy transition. Within each of these categories, states have collectively proposed a range of measures to address challenges around equity and environmental justice that serve as a playbook for other states to replicate or expand upon.

States would benefit from even greater specificity with regard to proposed policies, programs, and investments to improve equity outcomes for environmental justice communities. The measures that states have taken thus far with on equity can inform the additional steps stakeholders take moving forward.

Appendix A: List of State Legislation and Executive Orders

Seventeen pieces of legislation and six executive orders spanning 20 states plus DC were considered in this analysis.

Type	State	Reference	Year Published
Legislation	California	AB 1279: The California Climate Crisis Act https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1279	2022
		SB 100: California Renewables Portfolio Standard Program https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB100	2018
	Colorado	SB 19-236: Sunset Public Utilities Commission Bill https://leg.colorado.gov/sites/default/files/documents/2019A/bills/2019a_236_enr.pdf	2019
	District of Columbia	Act 22-583: Clean Energy DC Omnibus Amendment Act of 2018 https://lms.dccouncil.gov/downloads/LIMS/40667/Signed_Act/B22-0904-SignedAct.pdf	2019
	Hawaii	HB 1800: Relating to Climate Change Mitigation https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=1800&year=2022	2022
	Illinois	SB 2408: Climate and Equitable Jobs Act https://www.ilga.gov/legislation/publicacts/102/PDF/102-0662.pdf	2021
	Maine	LD 1494: An Act to Reform Maine’s Renewable Portfolio Standard https://legislature.maine.gov/bills/getPDF.asp?paper=SP0457&item=1&snum=129	2019
		LD 1679: An Act to Establish the Maine Climate Change Council to Assist Maine to Mitigate, Prepare for and Adapt to Climate Change https://legislature.maine.gov/bills/getPDF.asp?paper=SP0550&item=1&snum=129	2019

Type	State	Reference	Year Published
	Massachusetts	Bill S.9: An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy https://malegislature.gov/bills/192/S9	2021
	Maryland	SB 528: Climate Solutions Now Act of 2022 https://mgaleg.maryland.gov/2022RS/bills/sb/sb0528E.pdf	2022
	North Carolina	HB 951: Energy Solutions for North Carolina https://ncleg.gov/Sessions/2021/Bills/House/PDF/H951v5.pdf	2021
	Nevada	SB 358 https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6651/Text	2019
	New Mexico	SB 489: Energy Transition Act https://www.nmlegis.gov/Sessions/19%20Regular/final/SB0489.pdf	2019
	New York	SB 6599: Climate Leadership and Community Protection Act https://legislation.nysenate.gov/pdf/bills/2019/S6599	2019
	Oregon	HB 2021: Oregon Clean Energy Targets https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB2021/Enrolled	2021
	Rhode Island	SB 2274 / HB 7277: An Act Relating to Public Utilities and Carriers-Renewable Energy http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2274Aaa.pdf	2022
	Virginia	SB 851 / HB 1526: Virginia Clean Economy Act https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+SB851ER+pdf	2020
	Washington	SB 5116: Clean Energy Transformation Act https://lawfilesexternal.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/Senate/5116-S2.SL.pdf	2019

Type	State	Reference	Year Published
Executive Orders	California	EO B-55-18 To Achieve Carbon Neutrality https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf	2018
	Connecticut	EO No. 3 https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-3.pdf?la=en&hash=F836ED64F1BB49A5424AB4C7493A3AE3	2015
	Louisiana	JBE 2020-18 Climate Initiatives Task Force https://gov.louisiana.gov/assets/ExecutiveOrders/2020/JBE-2020-18-Climate-Initiatives-Task-Force.pdf	2020
	Michigan	Executive Directive 2020-10 https://www.michigan.gov/whitmer/news/state-orders-and-directives/2020/09/23/executive-directive-2020-10	2020
	New Jersey	EO No. 28 https://www.nj.gov/infobank/eo/056murphy/pdf/EO-28.pdf	2018
	Wisconsin	EO #38 Relating to Clean Energy in Wisconsin https://evers.wi.gov/Documents/EO%20038%20Clean%20Energy.pdf	2019

Appendix B: Definitions of Equity by State

Six states included definitions of equity and environmental justice terms in their legislation to codify the designation of these communities and concepts in state law.

State	Reference	Equity Considerations
Illinois	SB 2408: Climate and Equitable Jobs Act (2021)	<ul style="list-style-type: none"> The Act defines several equity-related terms, including BIPOC, equity-focused populations, equity investment eligible community, environmental justice communities, equity investment eligible person. For example, equity-focused populations is defined as “low-income persons; persons residing in equity investment eligible communities; persons who identify as black, indigenous, and people of color; formerly convicted persons; persons who are or were in the child welfare system; energy workers; dependents of displaced energy workers; women; LGBTQ+, transgender, or gender nonconforming persons; persons with disabilities; and members of any of these groups who are also youth.” Additionally, environmental justice communities are defined as communities “where residents have historically been subject to disproportionate burdens of pollution, including pollution from the energy sector” without consideration of “racial and ethnic indicators.” (pp. 1-5)
Maryland	SB 528: Climate Solutions Now Act of 2022 (2022)	<ul style="list-style-type: none"> The Act defines environmental justice as “equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.” (p. 13) The Act defines “overburdened community” as a census tract where at least 3 of the following environmental health indicators are above the seventy-fifth percentile: PM 2.5, ozone, National Air Toxics Assessment diesel PM, cancer risk,

State	Reference	Equity Considerations
		<p>respiratory hazard index, traffic proximity, lead paint indicator, superfund site proximity, risk management plan facility proximity, hazardous waste proximity, wastewater discharge indicator, proximity to a concentrated animal feeding operation, percent of population lacking broadband coverage, asthma emergency room discharges, myocardial infarction discharges, low birth-weight infants, proximity to emitting power plants, proximity to a toxic release inventory facility, proximity to a brownfields site, proximity to mining operations, proximity to a hazardous waste landfill.” (pp. 14-15)</p> <ul style="list-style-type: none"> • The Act defines “underserved community” as one where at least 25% of the residents are low-income, at least 50% of the residents identify as nonwhite, or at least 15% of the residents have limited English proficiency. (p. 15)
Massachusetts	Bill S.9: An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy (2021)	<ul style="list-style-type: none"> • The Act defines “environmental justice population” based on a range of criteria, including income or racial demographics. These include neighborhoods where “(i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the population; (iii) 25 percent or more of households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income,” including other conditional requirements. (p. 34) • The Act articulates “environmental justice principles” that “support protection from

State	Reference	Equity Considerations
		<p>environmental pollution and the ability to live in and enjoy a clean and healthy environment, regardless of race, color, income, class, handicap, gender identity, sexual orientation, national origin, ethnicity or ancestry, religious belief or English language proficiency, which includes: (i) the meaningful involvement of all people with respect to the development, implementation and enforcement of environmental laws, regulations, and policies, including climate change policies; and (ii) the equitable distribution of energy and environmental benefits and environmental burdens.” (p. 35)</p>
<p>New York</p>	<p>SB 6599: Climate Leadership and Community Protection Act (2019)</p>	<ul style="list-style-type: none"> • The Act defines “disadvantaged communities” as “communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households.” (p. 5)
<p>Oregon</p>	<p>HB 2021: Oregon Clean Energy Targets (2021)</p>	<ul style="list-style-type: none"> • The Act defines “environmental justice” as meaning “equal protection from environmental and health hazards and meaningful public participation in decisions that affect the environment in which people live, work, learn, practice spirituality and play.” (p. 2) • The Act defines “environmental justice communities” as “communities of color, communities experiencing lower incomes, tribal communities, rural communities, coastal communities, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health

State	Reference	Equity Considerations
		hazards, including seniors, youth and persons with disabilities.” (p. 2)
Virginia	SB 851: Virginia Clean Economy Act (2020)	<ul style="list-style-type: none"> • The Act defines “historically economically disadvantaged community” as a “community in which a majority of the population are people of color” or “a low-income geographic area.” (p. 3)

Appendix C: Equity of Impacts in 100% Clean Energy Legislation and Executive Orders by State

Six states acknowledged the disproportionate impacts of climate change on different communities in their legislation and executive orders.

State	Reference	Equity of Impacts
Illinois	SB 2408: Climate and Equitable Jobs Act (2021)	<ul style="list-style-type: none"> The General Assembly finds that “there is urgency around addressing increasing threats from climate change and assisting communities that have borne disproportionate impacts from climate change” and that “addressing this problem requires changes to the business model under which utilities in Illinois have traditionally functioned.” (p. 813)
Louisiana	JBE 2020-18 Climate Initiatives Task Force (2020)	<ul style="list-style-type: none"> The Executive Order recognizes that “impacts from climate change will be disproportionately felt by the residents of our state with the fewest resources.” (p. 1)
Maine	LD 1679: An Act to Establish the Maine Climate Change Council to Assist Maine to Mitigate, Prepare for and Adapt to Climate Change (2019)	<ul style="list-style-type: none"> The Act proposes the Maine Climate Change Council address the “disproportionate impacts of climate change on low-income and vulnerable communities.” (p. 11)
Michigan	Executive Directive 2020-10 (2020)	<ul style="list-style-type: none"> The Executive Order acknowledges that “climate change already degrades Michigan's environment, hurts our economy, and threatens the health and well-being of our residents, with communities of color and low-income Michiganders suffering most.” (p. 1)
New York	SB 6599: Climate Leadership and	<ul style="list-style-type: none"> The Act acknowledges that “climate change especially heightens the vulnerability of disadvantaged communities, which bear

	Community Protection Act (2019)	environmental and socioeconomic burdens as well as legacies of racial and ethnic discrimination.” (p. 3)
Wisconsin	EO #38 Relating to Clean Energy in Wisconsin (2019)	<ul style="list-style-type: none"> • The Executive Order recognizes that climate change poses significant threats to “communities that lack the resources and geographic mobility to adapt to changes, including pronounced threats to the cultural resources, economic vitality, and human health of Native Nations.” (p. 1) • The Executive Order states that climate change will generate negative impacts from an intergenerational equity standpoint, as “our state has a responsibility to current and future generations of Wisconsinites to act to prevent continuing damage to our climate.” (p. 1)

Appendix D: Equity of Solutions in 100% Clean Energy Legislation and Executive Orders by State

Sixteen states and the District of Columbia proposed measures to advance equity and environmental justice considerations with regards to the design and implementation of clean energy solutions through 100% clean energy legislation and executive orders.

California

[SB 100: California Renewables Portfolio Standard Program](#) (2018)

- The Act recognizes that renewable energy can improve California's air quality and public health, “particularly in disadvantaged communities identified pursuant to Section 39711 of the Health and Safety Code.” (p. 4)
- The Act briefly mentions how policies and actions taken in other sectors to reduce emissions should “ensure equity between other sectors and the electricity sector.” (p. 12)

[EO B-55-18 To Achieve Carbon Neutrality](#) (2018)

- The Executive Order discusses California's previous efforts in “directing cap-and-trade funds to greenhouse gas reducing programs which benefit disadvantaged communities.” (p. 1)
- The Executive Order mentions targeting policies and programs to focus on “low-income and disadvantaged communities” for air quality, health, and economic impacts. (p. 2)

Colorado

[SB 19-236: Sunset Public Utilities Commission Bill](#) (2019)

- The Act includes provisions outlining processes for ensuring a just transition for displaced workers and other community assistance programs. (pp. 7-8)
- The Act discusses situations where utilities should propose actions “while giving due consideration to the impact on low-income customers.” (p. 7)

Connecticut

[EO No. 3](#) (2015)

- The Executive Order states that Connecticut will be “prioritizing, integrating, and advancing equitable distribution of the costs of and benefits of climate change mitigation planning and policies, specifically addressing disproportionate impacts of such strategies on environmental justice communities.” (p. 2)
- The Executive Order mentions that an updated report for Connecticut's Adaptation and Resilience Plan should provide revised recommendations to “prioritize climate change adaptation efforts to protect vulnerable communities that may be disproportionately impacted by the effects of climate change.” (p. 3)

District of Columbia

[Act 22-583: Clean Energy DC Omnibus Amendment Act of 2018](#) (2019)

- The Act mentions that “an application submitted by the electric company or gas company pursuant to this subsection shall meet the long-term and annual energy savings metrics, which shall primarily benefit low- and moderate-income residential ratepayers to the extent possible.” (p. 6)
- The Act requires at least 30% of the funds raised from increased assessments under subsection (b) of this section of the Clean Energy DC Omnibus Amendment Act of 2018 be used to “benefit low-income residents, which may include energy Act assistance, energy efficiency and weatherization, including programs making improvements to commercial and institutional buildings that serve primarily low-income residents.” (p. 9)
- The Act directs at least \$3 million annually be used to provide assistance to “providers of affordable housing or rent-controlled buildings for energy efficiency upgrades” under certain programs. (p. 9)

Hawaii

[HB 1800: Relating to Climate Change Mitigation](#) (2022)

- The Act states that “as part of its analysis and development of recommendations, the Hawaii state energy office shall...make recommendations to aid in the

transition of the state workforce to meet the needs of a decarbonized economy” and “consider impacts to environmental justice, frontline, and low-income communities and make recommendations for how to mitigate any impacts to these communities and to facilitate a just transition to a decarbonized economy.” (p. 7)

Illinois

[SB 2408: Climate and Equitable Jobs Act](#) (2021)

- The Act states that the Illinois General Assembly believes that “State investment in the clean energy economy in Illinois can be a vehicle for expanding equitable access to public health” and that “it is in the public policy interest of the State to ensure that Illinois residents from communities disproportionately impacted by climate change, communities facing coal plant or coal mine closures, and economically disadvantaged communities and individuals experiencing barriers to employment have access to State programs and good jobs and career opportunities in growing sectors of the State economy.” (pp. 5-6)
- The Act proposes an Energy Transition Assistance Fund. (p. 17)
- The Act creates a Clean Jobs Workforce Network Program with Energy Transition Navigators that provide “education, outreach, and recruitment services to equity focused populations...to make sure they are aware of and engaged in the statewide and local workforce development systems.” The program is also founded on the principle of significant stakeholder engagement, community education, outreach, and recruitment that is targeted to equity-focused populations, including the formation of community-based partnerships. (pp. 17-19)
- The Act establishes a Clean Energy Primes Contractor Accelerator Program that focuses on equity investment eligible communities and equity investment eligible persons. (p. 40)
- The Act establishes a Jobs and Environmental Justice Grant Program to “provide upfront capital to support the development of projects, businesses, community organizations, and jobs creating opportunity for historically disadvantaged populations,” in addition to two subprograms (the Equitable Energy Future Grant Program, aimed to “provide seed funding and pre-development funding opportunities for equity eligible contractors,” and the Community Solar Energy Sovereignty Grant Program). These grant programs have a specific definition of intended audience, objectives, etc. (p. 51)

- The Act establishes a “Climate Bank” to “aid in all respects with providing financial assistance, programs, and products to finance and otherwise develop and implement equitable clean energy opportunities in the State to mitigate or adapt to the negative consequences of climate change in an equitable manner.” (pp. 67-68) The Bank is also tasked with ensuring the “distribution of the benefits of clean energy in an equitable manner, including by evaluating benefits to eligible communities and equity investment eligible persons” and “making clean energy accessible to all, especially eligible persons, through financing opportunities and grants for minority-owned businesses... and for low-income communities, eligible communities, environmental justice communities, and the businesses that serve these communities,” and “accelerating the investment of private capital into clean energy projects in a manner reflective of the geographic, racial, ethnic, gender, and income-level diversity of the State.” (p. 110)
- The Energy Community Reinvestment Act focuses on ensuring a just transition through a proper benchmarking of existing employment figures in the energy industry, an Energy Transition Community Grant program, a Displaced Energy Workers Act of Rights, a Displaced Energy Worker Dependent Transition Scholarship, and an Energy Community Reinvestment Report. (pp. 111-127)
- The Clean Energy Jobs and Justice Fund Act aims to “ensure that the benefits of the clean energy economy are equitably distributed,” to “make clean energy accessible to all through the provision of innovative financing opportunities and grants for Minority Business Enterprises [MBE] and other contractors of color, and for low-income, environmental justice, and BIPOC communities and the businesses that serve these communities,” to “assist low-income, environmental justice, and BIPOC community utility customers in paying for solar and energy efficiency upgrades through energy cost savings,” to “increase access to no-cost and low-cost loans for MBE and other contractors of color,” to “develop financing products designed to compensate for historical and structural barriers preventing low-income, environmental justice, and BIPOC communities from accessing traditional financing,” and to “leverage private investment in clean energy projects and in projects developed by MBEs [minority-business enterprises] and other contractors of color.” (pp. 140-141)
- The Act establishes a Fund that shall aim to “support financing or other expenditures that promote investment in clean energy resources in order to foster the development and commercialization of clean energy projects, including projects serving low-income, environmental justice, and BIPOC communities” and “prioritize the provision of public and private capital for clean energy investment to

MBEs and other contractors of color, and to clean energy investment in low-income, environmental justice, and BIPOC communities,” and to provide additional grants, loans, and other financial assistance. (pp. 150-151) In the early program development, the Fund should consider “providing direct capitalization of community-based projects in environmental justice communities through upfront grants” and “project applications should provide a community benefit, align with environmental justice communities.” (p. 157)

- The Commission should “address environmental justice interests by ensuring there are significant opportunities to directly participate in and benefit from beneficial electrification programs” and “support at least a 40% investment of make-ready infrastructure incentives to facilitate the rapid deployment of charging equipment in or serving environmental justice, low-income, and eligible communities” and “contribute to the reduction of carbon emissions and meeting air quality standards, including improving air quality in eligible communities who disproportionately suffer from emissions from the medium-duty and heavy-duty transportation sector” (pp. 202-203)
- The Act states that utilities should “demonstrate efforts to increase the use of contractors and electric vehicle charging station installers that meet multiple workforce equity actions” (p. 208)
- The Act establishes the Illinois Power Agency Renewable Energy Resources Fund and the Illinois Solar for All Program, which “provides incentives for low-income distributed generation and community solar projects, and other associated approved expenditures” that “maximizes the development of new photovoltaic generating facilities, to create a long-term, low-income solar marketplace throughout this State.” (p. 283) The program also establishes a low-income single-family and small multifamily solar incentive that will “provide incentives to low-income customers...to increase the participation of low-income households in photovoltaic on-site distributed generation” with a focus on environmental justice communities, in addition to a low-income community solar project initiative that is aimed at increasing the “participation of low-income subscribers of community solar projects.” (pp. 288, 291)
- The Act states that the Agency shall “develop a method to optimize procurement of renewable energy credits from proposed utility-scale projects that are located in communities eligible to receive Energy Transition Community Grants” (pp. 390-391)

- The Act also establishes standards regarding diversity, equity, and inclusion for procurement and project contracts, labor agreements, etc. It also creates an equity accountability system, “which includes the minimum equity standards for all renewable energy procurements, the equity category of the Adjustable Block Program, and the equity prioritization for noncompetitive procurements, that is successful in advancing priority access to the clean energy economy for businesses and workers from communities that have been excluded from economic opportunities in the energy sector, have been subject to disproportionate levels of pollution, and have disproportionately experienced negative public health outcomes.” (p. 427)
- The Act also stipulates that the Agency shall “create an easily accessible, public facing online tool using the database information that includes...a map of environmental justice and equity investment eligible communities,” in addition a range of other employment, labor, and other economic and environmental considerations (e.g., equity, workforce training and development). (p. 439)
- The Act states that utilities “shall also implement energy efficiency measures targeted at low-income households” and that “investment in low-income whole-building weatherization programs shall constitute a minimum of 80% of a utility's total budget specifically dedicated to serving low-income customers.” (p. 603) Furthermore, the “utilities shall work to bundle low-income energy efficiency offerings with other programs that serve low-income households to maximize the benefits going to these households.” (p. 604)
- The Act also establishes a prohibition on deposits for low-income residential customers or applications -- specifically, “no electric or gas utility shall, as a condition for standard service, require a low-income residential customer or applicant to provide a deposit as security against potential non-payment for service.” (p. 658)
- The Act states that the General Assembly finds “it would be beneficial to require utilities to demonstrate how their spending promotes identified State clean energy goals” including “achieving equity goals.” (p. 709)
- The Act states that, for the Multi-Year Integrated Grid Plan and each electric utility's subsequent Integrated Grid Plans, the Commission should consider whether the plan “equitably benefits environmental justice communities.” (pp. 731-732)

- The Act states that the General Assembly finds that the State should have ambitious energy policy goals, including “creating quality jobs and economic opportunities, including wealth building, especially in economically disadvantaged communities and communities of color.” (pp. 813-814)
- The Act establishes a new performance-based ratemaking framework that has the following objectives: “maintain and improve service reliability and safety, including and particularly in environmental justice, low-income, and equity investment eligible communities,” “decarbonize utility systems at a pace that meets or exceeds State climate goals, while also ensuring the affordability of rates for all customers, including low-income customers,” “maintain the affordability of electric delivery services for all customers, including low-income customers,” “maintain and grow a diverse workforce, diverse supplier procurement base, and, for relevant programs, diverse approved-vendor pools, including increased opportunities for minority-owned, female-owned, veteran-owned, and disability-owned business enterprises,” and “address the particular burdens faced by consumers in environmental justice and equity investment eligible communities, including shareholder, consumer, and publicly funded Act payment assistance and credit and collection policies, and ensure equitable disconnections, late fees, or arrearages as a result of utility credit and collection practices,” etc. (pp. 816-818)
- The Act also promotes the establishment of performance incentive mechanisms, including a recognition from the General Assembly that it is in the “State's interest for the Commission to establish performance incentive mechanisms in order to better tie utility revenues to performance and customer benefits...[and] ensure equity and affordability of rates for all customers, including low-income customers.” This includes “metrics designed to ensure the utility maintains and improves the high standards of both overall and locational reliability and resiliency, and makes improvements in power quality, including and particularly in environmental justice and equity investment eligible communities.” (pp. 830-831)
- The Act also establishes an Equitable Energy Upgrade Program. (p. 897)
- The Act amends the Environmental Protection Act and states that the Environmental Protection Agency, Illinois Power Agency, and Illinois Commerce Commission will prepare a report/plan that shall only be approved if the Illinois Commerce Commission is “taking into consideration the emissions impacts on environmental justice communities.” (p. 930)

Maine

[LD 1679: An Act to Establish the Maine Climate Change Council to Assist Maine to Mitigate, Prepare for and Adapt to Climate Change](#) (2019)

- The Act states that the revised climate action plan must “encourage diversity, inclusion and equity.” (p. 6)
- The Act discusses the need for the state to pursue “actions that minimize deleterious effects, including those on low-income and moderate-income persons.” (p. 7)

Maryland

[SB 528: Climate Solutions Now Act of 2022](#) (2022)

- The Act includes significant mention of a “just transition” including governance bodies and policies regarding an economically just transition.
- The Act aims to “target the implementation of energy and weatherization measures for low- to moderate-income households” and to “optimize the economic, health, social, and environmental value of community-scale infrastructure for resilience and energy equity.” (p. 8)
- The Act requires that “at least 40% of the fund balance shall be used for qualified projects in communities with low- to moderate-income households.” (p. 10)
- The Act directs the Commission on Environmental Justice and Sustainable Communities to “advise state government agencies on environmental justice and related community issues,” “use data sets and mapping tools to review and analyze the impact of current State and local laws, permits, actions, and policies on the issue of environmental justice and sustainable communities, including cumulative impacts, effects, and exposure, “assess the adequacy of state and local government laws to address the issue of environmental justice and sustainable communities,” and coordinate with various advisory councils and offices on “recommendations related to environmental justice and sustainable communities,” and on the development of a methodology for identifying “communities disproportionately affected by climate impacts,” “the development of specific strategies to address geographical impact concerns, reduce emissions of greenhouse gases and co-pollutants, and build climate equity and resilience within disproportionately

affected communities,” and establish goals for state funding allocated towards the “benefit of disproportionately affected communities.” (pp. 15-16)

- The Act directs the Department of the Environment and the Commission on Environmental Justice and Sustainable Communities to adopt “a methodology for identifying communities disproportionately affected by climate impacts,” develop “specific strategies to address geographical impact concerns, reduce emissions of greenhouse gases and co-pollutants, and build climate equity and resilience within disproportionately affected communities,” establish “goals for the percentage of state funding for greenhouse gas reduction measures that should be used for the benefit of disproportionately affected communities,” “report to the Maryland Commission on Climate Change the policies and programs developed,” include underserved and overburdened communities, ensure that equity and geographical impact remedies become “key principles,” and “incorporate geographical impact considerations into all recommendations, policies, programs, and funding priorities.” (pp. 16-18)
- The Act directs the state to “ensure that the greenhouse gas emissions reduction measures implemented...do not disproportionately impact rural or low-income, low- to moderate-income, or minority communities or any other particular class of electricity ratepayers.” (p. 32)
- The Act directs the Commission to report on the “percentage of the funding that benefited disproportionately affected communities.” (p. 45)
- The Act directs each state agency to take into account “the likely impact of the agency's decisions on disproportionately affected communities.” (p. 47)
- The Act directs the state to include programs for housing and community development, including a program to “provide grants for energy conservation projects and projects to install renewable energy generating systems in covered buildings that house primarily low- to moderate-income households.” (p. 50)
- The Act also directs that investor-owned electric companies “require a contractor or subcontractor on a project to establish and execute a plan for outreach, recruitment, and retention of state residents to perform work on the project, with an aspirational goal of 25% of total work hours performed by Maryland residents, including residents who are returning citizens, women, minority individuals, or veterans.” (p. 51)

- The Act directs the state to create a “Chesapeake Conservation Corps Program” which would “prevent the environmental and health impacts of climate impacts in communities disproportionately affected by climate impacts” and “ensure underserved and geographical climate disparities populations are given assistance needed to prepare for and adapt to climate impacts.” The Board of the Corps would include representation “within a community disproportionately affected by climate impacts.” The Corps program would also include an opportunity for collaboration with historically Black colleges and universities. (pp. 53, 55)
- The Act directs the state electric school bus program to “consider, in determining the appropriate factors...the health and economics effects on low-income and minority communities.” (p. 74)
- The Act directs the state in its electric distribution system planning efforts to give “priority to vulnerable communities in the development of distributed energy resources and electric vehicle infrastructure.” (pp. 76-77)
- The Act asks the state to develop a plan that may include recommendations related to the “establishment of low-income household retrofit targets and heat pump sales targets.” (p. 99)

Massachusetts

[Bill S.9: An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy](#) (2021)

- The Act states that the secretary shall conduct a portion of public hearings on proposed greenhouse gas emissions commitments in “regions that have the most significant exposure to air pollutants, including, but not limited to, communities with minority populations, communities with low-income populations, or both.” (p. 7)
- The Act states that regulations for greenhouse gas emissions “shall achieve required emissions reductions equitably and in a manner that protects low- and moderate-income persons and environmental justice populations.” (p. 11)
- The Act creates a “clean energy equity workforce and market development program to provide workforce training, educational and professional development, job placement, startup opportunities and grants promoting participation in the commonwealth's energy efficiency, clean energy, and clean heating and cooling industries to: (i) certified minority-owned and women-owned small business

enterprises; (ii) individuals residing within an environmental justice community; and (iii) current and former workers from the fossil fuel industry.” This program would aim to analyze employment potential and necessary skills and training for the industries in question, maximize opportunities for minority- and women-owned businesses within environmental justice communities, and identify barriers for minority- and women-owned businesses. (pp. 12-13)

- The Act states that the department shall “prioritize safety, security, reliability of service, affordability, equity, and reductions in greenhouse gas emissions.” (p. 12)
- The Act creates an “expendable trust to be known as the low-income services solar program” which provides a solar grant program to nonprofits that offer services like food security and homeless and emergency shelters. (p. 32)
- The Act requires an environmental impact report that includes an “assessment of any existing unfair or inequitable environmental burden and related public health consequences impacting the environmental justice population” for relevant projects. (p. 36)
- The Act mandates that agencies cannot exempt projects located in environmental justice communities that are likely to cause negative harm to the environment in those communities. (p. 37)
- The Act states that significant projects that negatively impact environmental justice populations must follow additional measures to “improve public participation by the environmental justice population,” such as public notices of relevant documents, translation services, public meetings held in accessible locations near public transit, and a repository of relevant resources. (p. 37)
- The Act states that the secretary shall “consider the environmental justice principles” in making policies, decisions, or actions relating to a project review “to reduce the potential for unfair or inequitable effects upon an environmental justice population.” (p. 38)
- The Act requires the secretary direct agencies, including departments, divisions, boards and offices to “consider the environmental justice principles in making any policy, determination or taking any other action related to a project review.” (p. 39)

- The Act states that the secretary will “establish standards and guidelines for the implementation, administration and periodic review of environmental justice principles by the executive office of energy and environmental affairs and its agencies.” (p. 39)
- The Act enables municipalities, particularly those with environmental justice populations, to leverage renewable energy generation for climate resiliency purposes. (p. 45)
- The Act states that, for regulations, the department shall “to the greatest extent feasible: (i) provide equitable access to all Massachusetts ratepayers, including low-income ratepayers; (ii) address solar energy access and affordability for low-income communities; (iii) include effective consumer protection provisions; and (iv) ensure that information about the program and its benefits are provided in a readily accessible manner to all ratepayers, including non-English speaking communities.” The department will include a diverse range of stakeholders throughout the feedback and design process of such a program, “including low-income ratepayers and organizations representing their interests.” (p. 51)

Michigan

[Executive Directive 2020-10](#) (2020)

- The Executive Order states that the transition to carbon neutrality “must be done right to ensure that all workers, businesses, and communities can meet its challenges and reap its benefits in equal measure.” (p. 2)
- The Executive Order states that the Department of Environment, Great Lakes, and Energy must “include considerations of environmental justice and health impacts under the Michigan Environmental Protection Act.” (p. 3)
- The Executive Order stipulates that the Department of the Treasury must “develop and implement an Energy Transition Impact Project” to “identify the communities that will be impacted by changes to the mix of energy production facilities in Michigan, and minimize those impacts and dislocation, including loss of employment, property tax revenues, and related community services.” (p. 3)
- This initiative would require the Department of the Treasury to “engage those communities and displaced workers in discussion about opportunities for new development to offset losses of existing facilities, identify models used elsewhere

that have successfully addressed large scale disruptions, and identify resources across federal, state, and local government, private industry, and non-profit organizations that can benefit the adjustment strategy.” (p. 3)

New Mexico

[SB 489: Energy Transition Act](#) (2019)

- The Act creates an “Energy Transition Displaced Worker Assistance Fund” to promote economic development in affected communities. (p. 1)
- The Act creates an “energy transition Indian affairs fund” that serves to “assist tribal and native people in the affected community that shall provide for the disbursement of money in the energy transition Indian affairs fund.” (p. 40)
- The Act establishes measures to develop a “displaced worker development plan to assist displaced workers in an affected community.” (p. 43)

New York

[SB 6599: Climate Leadership and Community Protection Act](#) (2019)

- The Act states that “actions undertaken by New York state to mitigate greenhouse gas emissions should prioritize the safety and health of disadvantaged communities, control potential regressive impacts of future climate change mitigation and adaptation policies on these communities, and prioritize the allocation of public investments in these areas.” (p. 3)
- The Act states that New York can “advance our equity goals by ensuring quality employment opportunities in safe working environments.” It also proposes establishing a statewide floor for labor standards to address the “complexity of the ongoing energy transition, the uneven distribution of economic opportunity, and the disproportionate cumulative economic and environmental burdens on communities.” (p. 3)
- The Act defines the criteria that count towards “greenhouse gas emission offset projects,” including projects that “provide public health and environmental benefits, and do not create burdens in disadvantaged communities.” (p. 5)

- The Act states that the council, in developing the climate action plan, should “identify measures to maximize reductions of both greenhouse gas emissions and co-pollutants in disadvantaged communities.” (p. 10)
- The Act states that regulations should be designed and implemented in a manner that “seeks to be equitable,” that “activities undertaken to comply with the regulations do not result in a net increase in co-pollutant emissions or otherwise disproportionately burden disadvantaged communities,” and that the state “prioritize measures to maximize net reductions of greenhouse gas emissions and co-pollutants in disadvantaged communities.” (p. 12)
- The Act asserts that emissions offsets “shall not result in disadvantaged communities having to bear a disproportionate burden of environmental impacts.” (p. 12)
- The Act proposes studying the impacts of alternative compliance mechanisms from an equity standpoint, including “localized impacts in disadvantaged communities.” (p. 13)
- The Act proposes deploying community air monitoring systems, particularly for “highest priority locations in disadvantaged communities around the state,” or “communities with potentially high exposure burdens for toxic air contaminants and criteria air pollutants.” (p. 15)
- The Act creates a deadline for the climate justice working group to develop a strategy to “reduce emissions of toxic air contaminants and criteria air pollutants in disadvantaged communities affected by a high cumulative exposure burden,” including an assessment of these communities, proposed methodologies, and analyzing opportunities and barriers to reducing such emissions. (p. 15)
- The Act states that, based on this analysis and strategy, the department will “select disadvantaged communities around the state for preparation of community emissions reduction programs.” (pp. 15-16)
- The Act directs state agencies, authorities, and entities to create programs such that disadvantaged communities “receive forty percent of overall benefits of spending on clean energy and energy efficiency programs, projects or investments in the areas of housing, workforce development, pollution reduction, low income energy assistance, energy, transportation and economic development.” (p. 16)
- The Act also proposes benefits from energy storage and distributed energy generation projects to deliver benefits to NYISO zones serving disadvantaged

communities, “including low to moderate income consumers, and that energy storage projects be deployed to reduce the usage of combustion-powered peaking facilities located in or near disadvantaged communities.” (p. 18)

- The Act directs NYSEERDA and investor-owned utilities to “develop and report metrics for energy savings and clean energy market penetration in the low and moderate income market and in disadvantaged communities.” (p. 18)
- The Act directs state agencies, offices, authorities, and divisions to ensure that permits, licenses, and other approvals and decisions do not “disproportionately burden disadvantaged communities.” (p. 19)
- The Act states the need for a regular report on “barriers to, and opportunities for, community ownership of services and commodities in disadvantaged communities.” (pp. 18-19)

North Carolina

[HB 951: Energy Solutions for North Carolina](#) (2021)

- The Act enables the North Carolina Utilities Commission to consider whether performance-based regulation “reduces low-income energy burdens” and “supports equity in contracting” and that “no customer or class of customers is unreasonably harmed and that the rates are fair both to the electric public utility and to the customer.” (p. 7)

Oregon

[HB 2021: Oregon Clean Energy Targets](#) (2021)

- The Act identifies “promoting workforce equity” as a key objective of the primary zero-emissions electricity by 2040 goal. (p. 2)
- The Act identifies that implementation of the policy should be “done in a manner that minimizes burdens for environmental justice communities.” (p. 2)
- The Act requires each electric company and its “Community Benefits and Impacts Advisory Group” to produce a biennial report for review by the Public Utility Commission that “assesses the community benefits and impacts of the electric company.” The report should include analysis and descriptions of the following

topics: (1) “energy burden and disconnections for residential customers and disconnections for small commercial customers,” (2) “opportunities to increase contracting with businesses owned by women, veterans, or Black, Indigenous, or People of Color,” (3) “actions within environmental justice communities within the electric company’s service territory intended to improve resilience during adverse conditions or facilitate investments in the distribution system, including investments in facilities that generate non-emitting electricity,” (4) “distribution of infrastructure or grid investments and upgrades in environmental justice communities in the electric company’s service territory, including infrastructure or grid investments that facilitate the electric company’s compliance with the clean energy targets,” (5) “social, economic or environmental justice co-benefits that result from the electric company’s investments, contracts or internal practices,” (6) “customer experience, including a review of annual customer satisfaction surveys,” and (7) “actions to encourage customer engagement,” as well as other topics deemed relevant. (pp. 4-5)

- The Act would direct the Oregon Department of Energy’s working group to evaluate topics including “access and ownership opportunities for low-income communities, Black, Indigenous and People of Color communities, tribal communities and rural and coastal communities with limited infrastructure.” (p. 10)
- The Act includes reference to responsible contractor labor standards, including provisions that projects “establish and execute a plan for outreach, recruitment and retention of women, minority individuals, veterans and people with disabilities to perform work under the contract, with the aspirational target of having at least 15 percent of total work hours performed by individuals in one or more of these groups” as well as provisions regarding policies to “limit or prevent workplace harassment and discrimination and that promote workplace diversity, equity and inclusion for communities who have been underrepresented in the clean energy sector, including women, veterans and Black, Indigenous and People of Color.” (p. 18)
- The Act requires the Community Renewable Investment Program to “incorporate equity metrics developed in coordination with the Environmental Justice Task Force...for evaluating the involvement of and leadership by people of low income, Black, Indigenous or People of Color, members of tribal communities, people with disabilities, youth, people from rural communities and people from otherwise disadvantaged communities in the siting, planning, designing or evaluating of the proposed community renewable energy projects.” (p. 23)

Rhode Island

[SB 2274 / HB 7277: An Act Relating to Public Utilities and Carriers-Renewable Energy](#)

(2022)

- The Act states that “at least two demonstration projects shall include renewable generation installed at or in the vicinity of nonprofit, affordable housing projects where energy savings benefits are provided to reduce electric bills of the customers at the nonprofit, affordable housing projects.” (pp. 4-5)

Virginia

[SB 851 / HB 1526: Virginia Clean Economy Act](#) (2020)

- The Act stipulates that “the Commission shall ensure that the development of new, or expansion of existing, energy resources or facilities does not have a disproportionate adverse impact on historically economically disadvantaged communities.” (p. 11)
- The Act states that 30% of revenue generated from penalties associated with utilities not meeting compliance obligations “shall be directed to renewable energy programs located in historically economically disadvantaged communities.” (p. 26)
- The Act proposes establishing energy efficiency programs to provide financial assistance for low-income consumers, with at least 15% of the proposed costs allocated to programs “designed to benefit low-income, elderly, or disabled individuals or veterans.” (p. 31)

Washington

[SB 5116: Clean Energy Transformation Act](#) (2019)

- The Act recognizes that to have “the equitable distribution of energy benefits and reduction of burdens to vulnerable populations and highly impacted communities” lies in the “public interest.” (p. 4)
- The Act states that electric utilities must ensure customers benefit from the clean energy transition through the “equitable distribution of energy and nonenergy benefits and reduction of burdens to vulnerable populations and highly impacted communities.” (p. 16)

- The Bill states the legislature's intent to "demonstrate progress toward making energy assistance funds available to low-income households." (p. 29)
- The Bill mandates electric utilities make programs and funding for energy assistance for low-income households available while aggregating and analyzing data around energy burden considerations. (pp. 29-30)
- The Bill also requires electric utilities to submit reports on programs and measures taken to mitigate energy burden issues and their effectiveness, as well as outreach strategies that "encourage participation of eligible households, including consultation with community-based organizations and Indian tribes as appropriate, and comprehensive enrollment campaigns that are linguistically and culturally appropriate to the customers they serve in vulnerable populations." (pp. 30-31)
- The Bill states the legislature's objective to "provide an incentive for more of the projects" to "be constructed with high labor standards" and "maximizing access to economic benefits from such projects for local workers and diverse businesses." (p. 37)
- The Bill discusses a partial tax exemption for procurement and contracts involving "women, minority, or veteran-owned businesses." (p. 38)

Appendix E: Equity of Processes in 100% Clean Energy Legislation and Executive Orders by State

Eleven states and the District of Columbia have incorporated equity into processes regarding 100% clean energy planning, including efforts to ensure diverse representation on governance bodies involved in the states' clean energy transition efforts.

State	Reference	Equity of Processes
Connecticut	EO No. 3 (2015)	<ul style="list-style-type: none"> The Executive Order mentions the creation of a Governor's Council on Climate Change, which will consist of "five individuals who represent non-governmental or academic organizations, of which two shall represent health, equity, affordability, or environmental justice." (p. 4)
District of Columbia	Act 22-583: Clean Energy DC Omnibus Amendment Act of 2018 (2019)	<ul style="list-style-type: none"> The Act establishes a Building Energy Performance Standards Task Force that will include multiple affordable housing representatives, including a developer, and operator. (p. 12)
Illinois	SB 2408: Climate and Equitable Jobs Act (2021)	<ul style="list-style-type: none"> The Act establishes three regional administrators, who must have "cultural and language competency" and have "expertise in working in and with BIPOC and environmental justice communities" (p. 7) In each hub site, at least one-third of program placements will go towards "applicants who reside in a geographic area that is impacted by economic and environmental challenges" and that "among applicants that satisfy these criteria, preference shall be given to applicants who face barriers to employment." (p. 8) The Act establishes the Energy Workforce Advisory Council, which consists of at least two residents of environmental justice communities and three members from "community-based organizations in environmental justice communities and community-based organizations serving low-income persons and families," in addition to "two members who are policy

State	Reference	Equity of Processes
		<p>or implementation experts on workforce development for populations and individuals such as low-income persons and families, environmental justice communities, BIPOC communities, formerly convicted persons, persons who are or were in the child welfare system, energy workers, gender nonconforming and transgender individuals, and youth.” (p. 58)</p> <ul style="list-style-type: none"> • The Act establishes a Community Energy, Climate, and Jobs Planning process that shall “engage a diverse set of stakeholders in local communities, including environmental justice organizations,” “engage individual members of the Community to the extent possible to ensure that the Plans receive input from as diverse a set of perspectives as possible, and the Plan materials and meetings related to the Plan shall be translated into languages that reflect the makeup of the local community.” (pp. 138-139) • The Act stipulates that the Fund should be managed by a Board in which at least 2 members “shall have experience in providing energy-related services to low-income, environmental justice, or BIPOC communities,” at least one member should own or be employed by a minority business enterprise or BIPOC-owned business, at least one member shall be a “policy or implementation expert in serving” underserved communities, etc. (p. 144) • The Act establishes a Beneficial Electrification Commission that “shall initiate a workshop process...that encourages representation from diverse stakeholders, including stakeholders representing environmental justice and low-income communities, and ensures equitable opportunities for participation” (p. 198)

State	Reference	Equity of Processes
Louisiana	JBE 2020-18 Climate Initiatives Task Force (2020)	<ul style="list-style-type: none"> • The Executive Order establishes a Climate Initiatives Task Force that will include “a member of the environmental justice community” and “a member of an indigenous tribe, nation, or community.” (p. 3)
Massachusetts	Bill S.9: An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy (2021)	<ul style="list-style-type: none"> • The Act also creates an environmental justice council that advises the secretary on policies, standards, and regulations to achieve environmental justice principles. This council would conduct regular comprehensive analyses to analyze environmental justice impacts and principles and make recommendations. (pp. 39-40) • The Act states that the stakeholder engagement process should be geographically diverse, with at least one engagement “held in an underserved community or community with a high percentage of low-income households.” (p. 55)
Maryland	SB 528: Climate Solutions Now Act of 2022 (2022)	<ul style="list-style-type: none"> • The Act directs the state to “solicit input from all segments of the population that will be impacted by the policies developed...including individuals living in areas that may be identified as disproportionately affected communities.” (p. 18) • The Act calls for the creation of a “Just Transition Employment and Retraining Working Group of the Commission” that includes one representative who is a “formerly incarcerated individual,” two “at-large representatives who are women in selected industries,” and two “representatives selected by the Maryland State Chapter of the NAACP.” (pp. 34-35)
Maine	LD 1679: An Act to Establish the Maine Climate Change Council to Assist	<ul style="list-style-type: none"> • The Act states that the Maine Climate Change Council will include one member to “represent Maine’s tribes.” (p. 8)

State	Reference	Equity of Processes
	Maine to Mitigate, Prepare for and Adapt to Climate Change (2019)	
New York	SB 6599: Climate Leadership and Community Protection Act (2019)	<ul style="list-style-type: none"> • The Act creates a New York state climate action council that includes at-large members with expertise in issues including “environmental justice, labor, public health and regulated industries.” (p. 6) • The Act states that advisory panels will coordinate directly with the “environmental justice advisory group.” (p. 7) • The Act also proposes the council create a “just transition working group” to advise on workforce development issues, particularly for disadvantaged communities and “segments of the population that may be underrepresented in the clean energy workforce such as veterans, women and formerly incarcerated persons.” (p. 7) • The Act states that the council should create meaningful public engagement opportunities for “all segments of the population that will be impacted by the plan, including persons living in disadvantaged communities.” (p. 9) • The Act establishes a “climate justice working group” that consists of stakeholders from environmental justice communities and other individuals and organizations; these environmental justice community representatives “shall be members of communities of color, low-income communities, and communities bearing disproportionate pollution and climate change burdens, or shall be representatives of community-based organizations with

State	Reference	Equity of Processes
		<p>experience and a history of advocacy on environmental justice issues.” (p. 14)</p> <ul style="list-style-type: none"> • The Act proposes identifying disadvantaged communities through an extensive stakeholder engagement process based on “geographic, public health, environmental hazard, and socioeconomic criteria,” including areas burdened by environmental pollution and negative health effects; areas with high concentrations of low-income, high unemployment, high rent burdens, low levels of home ownership, low levels of educational attainment, etc.; groups that have historically suffered from discrimination based on race or ethnicity; and areas vulnerable to climate impacts. (p. 14) • The Act requires regular reporting of progress, including “whether regulations or other greenhouse gas reduction measures undertaken are equitable, minimize costs and maximize the total benefits to the state, and encourage early action,” and “whether activities undertaken to comply with state regulations disproportionately burden disadvantaged communities.” (p. 16)
Oregon	HB 2021: Oregon Clean Energy Targets (2021)	<ul style="list-style-type: none"> • The Act emphasizes that a key priority is for the state to engage in “meaningful consultation with federally recognized Indian tribes,” including “consultation on the siting, permitting and construction of new energy facilities.” (p. 2) • The Act requires electric companies to convene a “Community Benefits and Impacts Advisory Group,” which would consist of “representatives of environmental justice communities and low-income ratepayers and may include representatives from

State	Reference	Equity of Processes
		other affected entities within the electric company's service territory.” (p. 4)
Virginia	SB 851 / HB 1526: Virginia Clean Economy Act (2020)	<ul style="list-style-type: none"> The Act proposes that in 2022, and every 3 years thereafter, the Department of Mines, Minerals and Energy, and the Council on Environmental Justice, will “determine whether implementation of this act imposes a disproportionate burden on historically economically disadvantaged communities.” (p. 33)
Washington	SB 5116: Clean Energy Transformation Act (2019)	<ul style="list-style-type: none"> The Act establishes an energy strategy advisory committee that includes at least “one person recommended by Washington Indian tribes” and two persons recommended by civic organizations, “one of which must be a representative of a civic organization that represents vulnerable populations.” (p. 51)
Wisconsin	EO #38 Relating to Clean Energy in Wisconsin (2019)	<ul style="list-style-type: none"> The Executive Order identifies that the development of a clean energy plan will include input from “Native Nations.” (p. 2)



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