

**A-Engrossed**  
**House Bill 3543**

Ordered by the House May 14  
Including House Amendments dated May 14

Sponsored by Representative DINGFELDER, Senator AVAKIAN; Representatives CANNON, MACPHERSON,  
MERKLEY

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes greenhouse gas emissions reduction goals. Creates Oregon Global Warming Commission. Establishes membership and duties. Directs commission to **recommend ways** to coordinate local and state efforts to [*halt growth of*] **reduce** greenhouse gas emissions. [*Directs Public Utility Commission to consider environmental impacts of emissions of greenhouse gases attributable to electric companies.*] Creates Oregon Climate Change Research Institute.

[*Appropriates moneys from General Fund to State Department of Energy for administrative expenses of commission and to Department of Higher Education to fund Oregon Climate Change Research Institute.*]

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to climate change; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

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5 **LEGISLATIVE FINDINGS**

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7 **SECTION 1. The Legislative Assembly finds that:**

8 (1) **In December 2004 the Governor's Advisory Group on Global Warming issued its report**  
9 **calling for immediate and significant action to address global warming, to reduce Oregon's**  
10 **exposure to the risks of global warming and to begin to prepare for the effects of global**  
11 **warming. The advisory group also identified 46 specific recommendations for measurable re-**  
12 **ductions in the state's greenhouse gas emissions.**

13 (2) **In partnership with the Governor's advisory group, 50 scientists signed the "Scientific**  
14 **Consensus Statement on the Likely Impacts of Climate Change on the Pacific Northwest,"**  
15 **which examined the potential effects of climate change on temperature, precipitation, sea**  
16 **level, marine ecosystems and terrestrial ecosystems. The scientists recommended additional,**  
17 **improved scientific studies and modeling of the effects of climate change on the atmosphere,**  
18 **oceans and land, as well as modeling of the effects of economic and management policies.**

19 (3) **Global warming poses a serious threat to the economic well-being, public health, na-**  
20 **tural resources and environment of Oregon.**

21 (4) **Oregon relies on snowpack for summer stream flows to provide energy, municipal**  
22 **water, watershed health and irrigation. Also, a potential rise in sea levels threatens**  
23 **Oregon's coastal communities. Reduced snowpack, changes in the timing of stream flows,**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 extreme or unusual weather events, rising sea levels, increased occurrences of vector-borne  
2 diseases and impacts on forest health could significantly impact the economy, environment  
3 and quality of life in Oregon.

4 (5) Global warming will have detrimental effects on many of Oregon's largest industries,  
5 including agriculture, wine making, tourism, skiing, recreational and commercial fishing,  
6 forestry and hydropower generation, and will therefore negatively impact the state's work-  
7 ers, consumers and residents.

8 (6) There is a need to assess the current level of greenhouse gas emissions in Oregon,  
9 to monitor the trend of greenhouse gas emissions in Oregon over the next several decades  
10 and to take necessary action to begin reducing greenhouse gas emissions in order to prevent  
11 disruption of Oregon's economy and quality of life and to meet Oregon's responsibility to  
12 reduce the impacts and the pace of global warming.

13 (7) Oregon has been a national leader in energy conservation and environmental  
14 stewardship, including the areas of energy efficiency requirements and investments,  
15 renewable energy investments, natural resource conservation, greenhouse gas offset re-  
16 quirements and investments, and global warming pollution standards for passenger vehicles.  
17 Significant opportunities remain to reduce greenhouse gas emissions statewide, especially  
18 from major contributors of greenhouse gas emissions, including electricity production,  
19 transportation, building construction and operation, and the residential and consumer sec-  
20 tors.

21 (8) Actions to reduce greenhouse gas emissions will reduce Oregon's reliance on foreign  
22 sources of energy, lead to the development of technology, attract new businesses to Oregon  
23 and increase energy efficiency throughout the state, resulting in benefits to the economy and  
24 to individual businesses and residents.

25 (9) In devising measures to achieve reduction of greenhouse gas emissions, Oregon must  
26 strive to not disadvantage Oregon businesses as compared to businesses in other states with  
27 which Oregon cooperates on regional greenhouse gas emissions reduction strategies.

28 (10) Policies pursued, and actions taken, by Oregon will:

29 (a) In concert with complementary policies and actions by other states and the federal  
30 government, substantially reduce the global levels of greenhouse gas emissions and the im-  
31 pacts of those emissions;

32 (b) Encourage similar policies and actions by various stakeholders;

33 (c) Inform and shape national policies and actions in ways that are advantageous to  
34 Oregon residents and businesses; and

35 (d) Directly benefit the state and local governments, businesses and residents.

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37 **GREENHOUSE GAS EMISSIONS REDUCTION GOALS**

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39 **SECTION 2.** (1) The Legislative Assembly declares that it is the policy of this state to  
40 reduce greenhouse gas emissions in Oregon pursuant to the following greenhouse gas emis-  
41 sions reduction goals:

42 (a) By 2010, arrest the growth of Oregon's greenhouse gas emissions and begin to reduce  
43 greenhouse gas emissions.

44 (b) By 2020, achieve greenhouse gas levels that are 10 percent below 1990 levels.

45 (c) By 2050, achieve greenhouse gas levels that are at least 75 percent below 1990 levels.



1 this state. Failure of a member to maintain compliance with the eligibility requirements re-  
2 lated to the member's appointment shall result in disqualification from serving on the com-  
3 mission.

4 (6) Voting members of the commission appointed under this section are entitled to ex-  
5 penses as provided in ORS 292.495 (2).

6 **SECTION 5.** (1) In addition to the members appointed under section 4 of this 2007 Act,  
7 the Oregon Global Warming Commission shall include the following ex officio members:

- 8 (a) The Director of the State Department of Energy;
- 9 (b) The Director of Transportation;
- 10 (c) The chairperson of the Public Utility Commission of Oregon;
- 11 (d) The Director of the Department of Environmental Quality;
- 12 (e) The Director of Agriculture;
- 13 (f) The State Forester;
- 14 (g) The Water Resources Director; and
- 15 (h) Three additional ex officio nonvoting members, each from a state agency or an aca-  
16 demic institution.

17 (2) The following representatives of the Legislative Assembly also shall serve as ex officio  
18 nonvoting members:

19 (a) Two members of the Senate, not from the same political party, appointed by the  
20 President of the Senate; and

21 (b) Two members of the House of Representatives, not from the same political party,  
22 appointed by the Speaker of the House of Representatives.

23 (3) Each legislative member serves at the pleasure of the appointing authority and may  
24 serve so long as the member remains in the chamber of the Legislative Assembly from which  
25 the member was appointed.

26 **SECTION 6.** Notwithstanding the term of office specified by section 4 of this 2007 Act,  
27 of the members first appointed to the Oregon Global Warming Commission pursuant to  
28 section 4 of this 2007 Act:

- 29 (1) Three shall serve for terms ending January 1, 2009.
- 30 (2) Three shall serve for terms ending January 1, 2010.
- 31 (3) Three shall serve for terms ending January 1, 2011.
- 32 (4) Two shall serve for terms ending July 1, 2011.

33 **SECTION 7.** (1) A majority of the members of the Oregon Global Warming Commission  
34 constitutes a quorum for the transaction of business.

35 (2) The commission shall meet at times and places specified by a majority of the members  
36 of the commission.

37 (3) The State Department of Energy shall provide clerical, technical and management  
38 personnel to serve the commission. Other agencies shall provide support as requested by the  
39 department or the commission.

40 **SECTION 8.** The Oregon Global Warming Commission may adopt by rule such standards  
41 and procedures as it considers necessary for the operation of the commission.

42 **SECTION 9.** The Oregon Global Warming Commission shall recommend ways to coordi-  
43 nate state and local efforts to reduce greenhouse gas emissions in Oregon consistent with  
44 the greenhouse gas emissions reduction goals established by section 2 of this 2007 Act and  
45 shall recommend efforts to help Oregon prepare for the effects of global warming. The Office

1 of the Governor and state agencies working on multistate and regional efforts to reduce  
2 greenhouse gas emissions shall inform the commission about these efforts and shall consider  
3 input from the commission for such efforts.

4 **SECTION 10.** (1) In furtherance of the greenhouse gas emissions reduction goals estab-  
5 lished by section 2 of this 2007 Act, the Oregon Global Warming Commission may recommend  
6 statutory and administrative changes, policy measures and other recommendations to be  
7 carried out by state and local governments, businesses, nonprofit organizations or residents.  
8 In developing its recommendations, the commission shall consider economic, environmental,  
9 health and social costs, and the risks and benefits of alternative strategies, including least-  
10 cost options. The commission shall solicit and consider public comment relating to statutory,  
11 administrative or policy recommendations.

12 (2) The commission shall examine greenhouse gas cap-and-trade systems, including a  
13 statewide and multistate carbon cap-and-trade system and market-based mechanisms, as a  
14 means of achieving the greenhouse gas emissions reduction goals established by section 2  
15 of this 2007 Act.

16 (3) The commission shall examine possible funding mechanisms to obtain low-cost  
17 greenhouse gas emissions reductions and energy efficiency enhancements, including but not  
18 limited to those in the natural gas industry.

19 **SECTION 11.** The Oregon Global Warming Commission shall develop an outreach strat-  
20 egy to educate Oregonians about the scientific aspects and economic impacts of global  
21 warming and to inform Oregonians of ways to reduce greenhouse gas emissions and ways to  
22 prepare for the effects of global warming. The commission, at a minimum, shall work with  
23 state and local governments, the State Department of Energy, the Department of Education,  
24 the State Board of Higher Education and businesses to implement the outreach strategy.

25 **SECTION 12.** (1) The Oregon Global Warming Commission shall track and evaluate:

26 (a) Economic, environmental, health and social assessments of global warming impacts  
27 on Oregon and the Pacific Northwest;

28 (b) Existing greenhouse gas emissions reduction policies and measures;

29 (c) Economic, environmental, health and social costs, and the risks and benefits of al-  
30 ternative strategies, including least-cost options;

31 (d) The physical science of global warming;

32 (e) Progress toward the greenhouse gas emissions reduction goals established by section  
33 2 of this 2007 Act;

34 (f) Greenhouse gases emitted by various sectors of the state economy, including but not  
35 limited to industrial, transportation and utility sectors;

36 (g) Technological progress on sources of energy the use of which generates no or low  
37 greenhouse gas emissions and methods for carbon sequestration;

38 (h) Efforts to identify the greenhouse gas emissions attributable to the residential and  
39 commercial building sectors;

40 (i) The advancement of regional, national and international policies to reduce greenhouse  
41 gas emissions;

42 (j) Local and regional efforts to prepare for the effects of global warming; and

43 (k) Any other information, policies or analyses that the commission determines will aid  
44 in the achievement of the greenhouse gas emissions reduction goals established by section  
45 2 of this 2007 Act.

1 (2) The commission shall:

2 (a) Work with the State Department of Energy and the Department of Environmental  
3 Quality to evaluate all gases with the potential to be greenhouse gases and to determine a  
4 carbon dioxide equivalency for those gases; and

5 (b) Use regional and national baseline studies of building performance to identify incre-  
6 mental targets for the reduction of greenhouse gas emissions attributable to residential and  
7 commercial building construction and operations.

8 **SECTION 13.** The Oregon Global Warming Commission may recommend to the Governor  
9 the formation of citizen advisory groups to explore particular areas of concern with regard  
10 to the reduction of greenhouse gas emissions and the effects of global warming.

11 **SECTION 14.** The Oregon Global Warming Commission shall submit a report to the  
12 Legislative Assembly, in the manner provided by ORS 192.245, by March 31 of each odd-  
13 numbered year that describes Oregon's progress toward achievement of the greenhouse gas  
14 emissions reduction goals established by section 2 of this 2007 Act. The report may include  
15 relevant issues and trends of significance, including trends of greenhouse gas emissions,  
16 emerging public policy and technological advances. The report also may discuss measures the  
17 state may adopt to mitigate the impacts of global warming on the environment, the economy  
18 and the residents of Oregon and to prepare for those impacts.

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20 **OREGON CLIMATE CHANGE RESEARCH INSTITUTE**

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22 **SECTION 15.** (1) There is created within the Department of Higher Education the Oregon  
23 Climate Change Research Institute. The institute shall be administered by Oregon State  
24 University and institutional partners within the Oregon University System.

25 (2) The purpose of the Oregon Climate Change Research Institute is to:

26 (a) Facilitate research by Oregon University System faculty on climate change and its  
27 effects on natural and human systems in Oregon;

28 (b) Serve as a clearinghouse for climate change information;

29 (c) Provide climate change information to the public in integrated and accessible formats;

30 (d) Support the Oregon Global Warming Commission in developing strategies to prepare  
31 for and to mitigate the effects of climate change on natural and human systems; and

32 (e) Provide technical assistance to local governments to assist them in developing climate  
33 change policies, practices and programs.

34 (3) The Oregon Climate Change Research Institute shall assess, at least once each  
35 biennium, the state of climate change science, including biological, physical and social sci-  
36 ence, as it relates to Oregon and the likely effects of climate change on the state. The in-  
37 stitute shall submit the assessment to the Legislative Assembly in the manner provided in  
38 ORS 192.245 and to the Governor.

39 (4) State agencies may contract with the Oregon Climate Change Research Institute to  
40 fulfill agency needs regarding the collection, storage, integration, analysis, dissemination and  
41 monitoring of climate change information, research and training.

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43 **MISCELLANEOUS**

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45 **SECTION 16.** The unit captions used in this 2007 Act are provided only for the conven-

1 ience of the reader and do not become part of the statutory law of this state or express any  
2 legislative intent in the enactment of this 2007 Act.

3 **SECTION 17.** This 2007 Act being necessary for the immediate preservation of the public  
4 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect  
5 on its passage.  
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