

# Senate Bill 522

Sponsored by Senators DEMBROW, GOLDEN, Representative HELM (Pre-session filed.)

## 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 **as introduced**.

Changes name of "Oregon Global Warming Commission" to "Oregon Climate Action Commission." Modifies membership and duties of commission.

Modifies state greenhouse gas emissions reduction goals. Directs state agencies to report to commission on progress toward achieving greenhouse gas emissions reduction goals.

## A BILL FOR AN ACT

1  
2 Relating to the Oregon Global Warming Commission; creating new provisions; and amending ORS  
3 352.823, 468A.205, 468A.215, 468A.220, 468A.225, 468A.230, 468A.235, 468A.240, 468A.245,  
4 468A.250, 468A.255 and 468A.260.

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

6 **SECTION 1.** ORS 468A.205 is amended to read:

7 468A.205. (1) The Legislative Assembly declares that it is the policy of this state to reduce  
8 greenhouse gas emissions in Oregon pursuant to the following greenhouse gas emissions reduction  
9 goals:

10 *[(a) By 2010, arrest the growth of Oregon's greenhouse gas emissions and begin to reduce*  
11 *greenhouse gas emissions.]*

12 *[(b) By 2020, achieve greenhouse gas levels that are 10 percent below 1990 levels.]*

13 **(a) By 2035, achieve greenhouse gas levels that are at least 45 percent below 1990 levels.**

14 *[(c)]* **(b)** By 2050, achieve greenhouse gas levels that are at least [75] **80** percent below 1990  
15 levels.

16 (2) The Legislative Assembly declares that it is the policy of this state for state and local gov-  
17 ernments, businesses, nonprofit organizations and individual residents to prepare for the effects of  
18 global warming and by doing so, prevent and reduce the social, economic and environmental effects  
19 of global warming.

20 (3) This section does not create any additional regulatory authority for an agency of the exec-  
21 utive department as defined in ORS 174.112.

22 **(4) The Oregon Climate Action Commission may periodically make recommendations to**  
23 **the Legislative Assembly to strengthen the greenhouse gas emissions reduction goals estab-**  
24 **lished by subsection (1) of this section based on the best available science.**

25 **SECTION 2.** ORS 468A.215 is amended to read:

26 468A.215. (1) There is created the Oregon [*Global Warming*] **Climate Action** Commission. The  
27 commission shall consist of [25] **35** members, including [11] **13** voting members appointed by the  
28 Governor under this section and [14] **22** [*ex officio*] nonvoting members specified in ORS 468A.220.

29 (2) Members of the commission appointed under this section shall be appointed so as to be rep-  
30 resentative of the social, environmental, cultural and economic diversity of the state and to be rep-

**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 resentative of the policy, science, education and implementation elements of the efforts to reduce  
 2 greenhouse gas emissions and to prepare Oregon for the effects of global warming. Of the members  
 3 appointed by the Governor under this section:

4 (a) One member shall have significant experience in manufacturing;

5 (b) One member shall have significant experience in energy;

6 (c) One member shall have significant experience in transportation;

7 (d) One member shall have significant experience in forestry;

8 (e) One member shall have significant experience in agriculture; *[and]*

9 (f) One member shall have significant experience in environmental policy[.];

10 **(g) One member shall have significant experience in environmental justice; and**

11 **(h) One member shall be appointed as a youth representative, who must be at least 16**  
 12 **but no more than 24 years of age when appointed.**

13 (3) The Governor shall select a chairperson and a vice chairperson from among the members  
 14 appointed under this section.

15 (4) The term of office of a member appointed under this section is four years, **except that the**  
 16 **term of office of the member appointed as a youth representative is two years.** Before the  
 17 expiration of the term of a member, the Governor shall appoint a successor whose term begins on  
 18 January 31 next following. A member appointed under this section is eligible for reappointment. In  
 19 case of vacancy for any cause, the Governor shall make an appointment to become immediately ef-  
 20 fective for the unexpired term.

21 (5) The members of the commission appointed under this section must be residents of this state.  
 22 Failure of a member to maintain compliance with the eligibility requirements related to the  
 23 member's appointment shall result in disqualification from serving on the commission.

24 (6) Voting members of the commission appointed under this section are entitled to expenses as  
 25 provided in ORS 292.495 (2).

26 **SECTION 3.** ORS 468A.220 is amended to read:

27 468A.220. (1) In addition to the members appointed under ORS 468A.215, the Oregon [*Global*  
 28 *Warming*] **Climate Action** Commission includes the following [*ex officio*] nonvoting members:

29 (a) The Director of the State Department of Energy;

30 (b) The Director of Transportation;

31 (c) The chairperson of the Public Utility Commission of Oregon;

32 (d) The Director of the Department of Environmental Quality;

33 (e) The Director of Agriculture;

34 (f) The State Forester;

35 (g) The Water Resources Director; *[and]*

36 **(h) The Director of the Department of Land Conservation and Development;**

37 **(i) The Director of the Oregon Health Authority;**

38 **(j) The Director of the Oregon Business Development Department;**

39 **(k) The Director of the Oregon Department of Administrative Services;**

40 **(L) The Director of the Department of Consumer and Business Services;**

41 **(m) The State Fish and Wildlife Director;**

42 **(n) The Director of the Housing and Community Services Department;**

43 **(o) The executive director of the Oregon Watershed Enhancement Board; and**

44 *[(h)]* **(p) Three additional [*ex officio*] nonvoting members, each from a state agency or an aca-**  
 45 **demic institution.**

1 (2) The following representatives of the Legislative Assembly also shall serve as [*ex officio*]  
2 nonvoting members:

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

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

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

10 (4) Notwithstanding ORS 171.072, members of the commission who are members of the Legisla-  
11 tive Assembly are not entitled to mileage expenses or a per diem and serve as volunteers on the  
12 commission.

13 **SECTION 4.** ORS 468A.225 is amended to read:

14 468A.225. (1) A majority of the **voting** members of the Oregon [*Global Warming*] **Climate Action**  
15 Commission constitutes a quorum for the transaction of business.

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

18 (3) The State Department of Energy shall provide clerical, technical and management personnel  
19 to serve the commission. [*Other agencies shall provide support as requested by the department or the*  
20 *commission.*]

21 **(4) In order to assist the commission in its duties, state agencies shall regularly report**  
22 **to the commission on the respective state agencies' efforts to make progress toward the**  
23 **greenhouse gas emissions reduction goals established by ORS 468A.205 and to prepare for the**  
24 **effects of global warming. State agencies for which the director or other agency head is a**  
25 **nonvoting member of the commission shall report to the commission no less than once each**  
26 **year.**

27 **SECTION 5.** ORS 468A.230 is amended to read:

28 468A.230. The Oregon [*Global Warming*] **Climate Action** Commission may adopt by rule such  
29 standards and procedures as it considers necessary for the operation of the commission.

30 **SECTION 6.** ORS 468A.235 is amended to read:

31 468A.235. The Oregon [*Global Warming*] **Climate Action** Commission shall recommend ways to  
32 coordinate state and local efforts to reduce greenhouse gas emissions in Oregon consistent with the  
33 greenhouse gas emissions reduction goals established by ORS 468A.205 and shall recommend efforts  
34 to help Oregon prepare for the effects of global warming. The Office of the Governor and state  
35 agencies working on multistate and regional efforts to reduce greenhouse gas emissions shall inform  
36 the commission about these efforts and shall consider input from the commission for such efforts.

37 **SECTION 7.** ORS 468A.240 is amended to read:

38 468A.240. (1) In furtherance of the greenhouse gas emissions reduction goals established by ORS  
39 468A.205, the Oregon [*Global Warming*] **Climate Action** Commission may recommend statutory and  
40 administrative changes, policy measures and other recommendations to be carried out by state and  
41 local governments, businesses, nonprofit organizations or residents. In developing its recommen-  
42 dations, the commission shall consider economic, environmental, health and social costs, and the  
43 risks and benefits of alternative strategies, including least-cost options. The commission shall solicit  
44 and consider public comment relating to statutory, administrative or policy recommendations.

45 (2) The commission shall examine greenhouse gas cap-and-trade systems, including a statewide

1 and multistate carbon cap-and-trade system and market-based mechanisms, as a means of achieving  
2 the greenhouse gas emissions reduction goals established by ORS 468A.205.

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

6 **SECTION 8.** ORS 468A.245 is amended to read:

7 468A.245. The Oregon [*Global Warming*] **Climate Action** Commission shall develop an outreach  
8 strategy to educate Oregonians about the scientific aspects and economic impacts of global warming  
9 and to inform Oregonians of ways to reduce greenhouse gas emissions and ways to prepare for the  
10 effects of global warming. The commission, at a minimum, shall work with state and local govern-  
11 ments, the State Department of Energy, the Department of Education, the Higher Education Coor-  
12 dinating Commission and businesses to implement the outreach strategy.

13 **SECTION 9.** ORS 468A.250 is amended to read:

14 468A.250. (1) The Oregon [*Global Warming*] **Climate Action** Commission shall track and evalu-  
15 ate:

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

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

19 (c) Economic, environmental, health and social costs, and the risks and benefits of alternative  
20 strategies, including least-cost options;

21 (d) The physical science of global warming;

22 (e) Progress toward the greenhouse gas emissions reduction goals established by ORS 468A.205;

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

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

27 (h) Efforts to identify the greenhouse gas emissions attributable to the residential and commer-  
28 cial building sectors;

29 (i) The carbon sequestration potential of Oregon's [*forests*] **natural and working lands**, alter-  
30 native methods of [*forest*] **land** management that can increase carbon sequestration and reduce the  
31 loss of carbon sequestration to wildfire, changes in the mortality and distribution of tree and other  
32 plant species and the extent to which carbon is stored in tree-based building materials;

33 (j) The advancement of regional, national and international policies to reduce greenhouse gas  
34 emissions;

35 (k) Local and regional efforts to prepare for the effects of global warming; and

36 (L) Any other information, policies or analyses that the commission determines will aid in the  
37 achievement of the greenhouse gas emissions reduction goals established by ORS 468A.205.

38 (2) The commission shall:

39 (a) Work with the State Department of Energy and the Department of Environmental Quality  
40 to evaluate all gases with the potential to be greenhouse gases and to determine a carbon dioxide  
41 equivalency for those gases; [*and*]

42 (b) Use regional and national baseline studies of building performance to identify incremental  
43 targets for the reduction of greenhouse gas emissions attributable to residential and commercial  
44 building construction and operations[.]; **and**

45 **(c) Prepare a detailed forecast of expected greenhouse gas emissions reductions.**

**SECTION 10.** ORS 468A.255 is amended to read:

468A.255. The Oregon [*Global Warming*] **Climate Action** Commission may recommend to the Governor the formation of citizen advisory groups to explore particular areas of concern with regard to the reduction of greenhouse gas emissions and the effects of global warming.

**SECTION 11.** ORS 468A.260 is amended to read:

468A.260. The Oregon [*Global Warming*] **Climate Action** Commission shall submit a report to the Legislative Assembly, in the manner provided by ORS 192.245, by [*March 31*] **December 1** of each [*odd-numbered*] **even-numbered** year that describes Oregon’s progress toward achievement of the greenhouse gas emissions reduction goals established by ORS 468A.205. The report may include relevant issues and trends of significance, including trends of greenhouse gas emissions, emerging public policy and technological advances. The report also may discuss measures the state may adopt to mitigate the impacts of global warming on the environment, the economy and the residents of Oregon and to prepare for those impacts.

**SECTION 12.** ORS 352.823 is amended to read:

352.823. (1) The Oregon Climate Change Research Institute is established at Oregon State University. In administering the institute, Oregon State University may seek the cooperation of other public universities listed in ORS 352.002.

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

- (a) Facilitate research by faculty at public universities listed in ORS 352.002 on climate change and its effects on natural and human systems in Oregon;
- (b) Serve as a clearinghouse for climate change information;
- (c) Provide climate change information to the public in integrated and accessible formats;
- (d) Support the Oregon [*Global Warming*] **Climate Action** Commission in developing strategies to prepare for and to mitigate the effects of climate change on natural and human systems; and
- (e) Provide technical assistance to local governments to assist them in developing climate change policies, practices and programs.

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

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

**SECTION 13.** (1) **The amendments to ORS 352.823, 468A.205, 468A.215, 468A.220, 468A.225, 468A.230, 468A.235, 468A.240, 468A.245, 468A.250, 468A.255 and 468A.260 by sections 1 to 12 of this 2023 Act are intended to change the name of the “Oregon Global Warming Commission” to the “Oregon Climate Action Commission.”**

(2) **For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel may substitute for words designating the “Oregon Global Warming Commission,” wherever they occur in statutory law, other words designating the “Oregon Climate Action Commission.”**