

Senate Bill 1559

Sponsored by Senator DEMBROW, Representative GAMBIA, Senator MANNING JR, Representatives ANDERSEN, NERON; Senators CAMPOS, FREDERICK, GELSER BLOUIN, GOLDEN, GORSEK, JAMA, MEEK, PATTERSON, PROZANSKI, SOLLMAN, TAYLOR, WOODS, Representatives CHAICHI, DEXTER, HELM, HOLVEY, NELSON, PHAM K, VALDERRAMA (Presession 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act changes the state's greenhouse gas emissions reduction goals. The Act changes the term "global warming" to "climate change" in some laws. The Act declares an emergency and takes effect when it passes. (Flesch Readability Score: 68.4).

Modifies state greenhouse gas emissions reduction goals. Replaces the term "global warming" with "climate change" in provisions related to the Oregon Climate Action Commission.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to climate change; amending ORS 468A.200, 468A.205, 468A.210, 468A.215, 468A.225,
3 468A.235, 468A.245, 468A.250, 468A.255 and 468A.260; and declaring an emergency.

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

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

6 468A.205. (1) The Legislative Assembly declares that it is the policy of this state to reduce
7 greenhouse gas emissions in Oregon [*pursuant to*] **consistent with practices to limit global**
8 **warming to 1.5 degrees Celsius and** the following greenhouse gas emissions reduction goals:

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

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

12 **(a) By 2030, achieve greenhouse gas levels that are at least 45 percent below 1990 levels.**

13 **(b) By 2040, achieve greenhouse gas levels that are at least 70 percent below 1990 levels.**

14 (c) By 2050, achieve greenhouse gas levels that are at least [75] **95** percent below 1990 levels.

15 **(2) In addition to the greenhouse gas emissions reduction goals described in subsection**
16 **(1) of this section, it is the aspiration of this state to achieve net zero emissions as soon as**
17 **practicable, but no later than 2050, and to maintain net negative emissions thereafter.**

18 [(2)] **(3)** The Legislative Assembly declares that it is the policy of this state for state and local
19 governments, businesses, nonprofit organizations and individual residents to prepare for the effects
20 of [*global warming*] **climate change** and by doing so, prevent and reduce the social, economic and
21 environmental effects of [*global warming*] **climate change**.

22 [(3)] **(4)** [*This section does not create*] **Nothing in this section creates** any additional regulatory
23 authority for an agency of the executive department as defined in ORS 174.112.

24 **SECTION 2.** ORS 468A.200 is amended to read:

25 468A.200. The Legislative Assembly finds that:

26 (1) In December 2004, the Governor's Advisory Group on Global Warming issued its report
27 calling for immediate and significant action to address global warming, to reduce Oregon's exposure

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 to the risks of global warming and to begin to prepare for the effects of global warming. The advi-
2 sory group also identified 46 specific recommendations for measurable reductions in the state's
3 greenhouse gas emissions.

4 (2) In partnership with the Governor's advisory group, 50 scientists signed the "Scientific Con-
5 sensus Statement on the Likely Impacts of Climate Change on the Pacific Northwest," which exam-
6 ined the potential effects of climate change on temperature, precipitation, sea level, marine
7 ecosystems and terrestrial ecosystems. The scientists recommended additional, improved scientific
8 studies and modeling of the effects of climate change on the atmosphere, oceans and land, as well
9 as modeling of the effects of economic and management policies.

10 (3) [*Global warming*] **Climate change** poses a serious threat to the economic well-being, public
11 health, natural resources and environment of Oregon.

12 (4) Oregon relies on snowpack for summer stream flows to provide energy, municipal water,
13 watershed health and irrigation. Also, a potential rise in sea levels threatens Oregon's coastal
14 communities. Reduced snowpack, changes in the timing of stream flows, extreme or unusual weather
15 events, rising sea levels, increased occurrences of vector-borne diseases and impacts on forest health
16 could significantly impact the economy, environment and quality of life in Oregon.

17 (5) Oregon forests play a significant role in sequestering atmospheric carbon, and losing this
18 potential to sequester carbon will have a significant negative effect on the reduction of carbon lev-
19 els in the atmosphere.

20 (6) [*Global warming*] **Climate change** will have detrimental effects on many of Oregon's largest
21 industries, including agriculture, wine making, tourism, skiing, recreational and commercial fishing,
22 forestry and hydropower generation, and will therefore negatively impact the state's workers, con-
23 sumers and residents.

24 (7) There is a need to assess the current level of greenhouse gas emissions in Oregon, to monitor
25 the trend of greenhouse gas emissions in Oregon over the next several decades and to take neces-
26 sary action to begin reducing greenhouse gas emissions in order to prevent disruption of Oregon's
27 economy and quality of life and to meet Oregon's responsibility to reduce the impacts and the pace
28 of [*global warming*] **climate change**.

29 (8) Oregon has been a national leader in energy conservation and environmental stewardship,
30 including the areas of energy efficiency requirements and investments, renewable energy invest-
31 ments, natural resource conservation, greenhouse gas offset requirements and investments, and
32 [*global warming*] **climate change** pollution standards for passenger vehicles. Significant opportu-
33 nities remain to reduce greenhouse gas emissions statewide, especially from major contributors of
34 greenhouse gas emissions, including electricity production, transportation, building construction and
35 operation, and the residential and consumer sectors.

36 (9) Actions to reduce greenhouse gas emissions will reduce Oregon's reliance on foreign sources
37 of energy, lead to the development of technology, attract new businesses to Oregon and increase
38 energy efficiency throughout the state, resulting in benefits to the economy and to individual busi-
39 nesses and residents.

40 (10) In devising measures to achieve reduction of greenhouse gas emissions, Oregon must strive
41 to not disadvantage Oregon businesses as compared to businesses in other states with which Oregon
42 cooperates on regional greenhouse gas emissions reduction strategies.

43 (11) Policies pursued, and actions taken, by Oregon will:

44 (a) In concert with complementary policies and actions by other states and the federal govern-
45 ment, substantially reduce the global levels of greenhouse gas emissions and the impacts of those

1 emissions;

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

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

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

6 **SECTION 3.** ORS 468A.210 is amended to read:

7 468A.210. As used in ORS 468A.200 to 468A.260:

8 (1) "Global warming" means an increase in the average temperature of the earth's atmosphere
9 that is associated with the release of greenhouse gases.

10 (2) "Greenhouse gas" means any gas that contributes to anthropogenic global warming includ-
11 ing, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons
12 and sulfur hexafluoride.

13 (3) "**Net negative emissions**" means the amount of greenhouse gases emitted into the
14 atmosphere is less than the amount of greenhouse gases removed from the atmosphere, as
15 determined by emissions accounting best practices over a specified period of time.

16 (4) "**Net zero emissions**" means the amount of greenhouse gases emitted into the at-
17 mosphere is equal to the amount of greenhouse gases removed from the atmosphere, as de-
18 termined by emissions accounting best practices over a specified period of time.

19 **SECTION 4.** ORS 468A.215 is amended to read:

20 468A.215. (1) There is created the Oregon Climate Action Commission. The commission shall
21 consist of 35 members, including 13 voting members appointed by the Governor under this section
22 and 22 nonvoting members specified in ORS 468A.220.

23 (2) Members of the commission appointed under this section shall be appointed so as to be rep-
24 resentative of the social, environmental, cultural and economic diversity of the state and to be rep-
25 resentative of the policy, science, education and implementation elements of the efforts to reduce
26 greenhouse gas emissions and to prepare Oregon for the effects of [*global warming*] **climate**
27 **change**. Of the members appointed by the Governor under this section:

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

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

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

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

32 (e) One member shall have significant experience in agriculture;

33 (f) One member shall have significant experience in environmental policy;

34 (g) One member shall have significant experience in environmental justice;

35 (h) One member shall be appointed as a youth representative, who must be at least 16 but no
36 more than 24 years of age when appointed; and

37 (i) One member shall have significant experience in the fishing industry.

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

40 (4) The term of office of a member appointed under this section is four years, except that the
41 term of office of the member appointed as a youth representative is two years. Before the expiration
42 of the term of a member, the Governor shall appoint a successor whose term begins on January 31
43 next following. A member appointed under this section is eligible for reappointment. In case of va-
44 cancy for any cause, the Governor shall make an appointment to become immediately effective for
45 the unexpired term.

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

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

6 **SECTION 5.** ORS 468A.225 is amended to read:

7 468A.225. (1) A majority of the voting members of the Oregon Climate Action Commission con-
 8 stitutes a quorum for the transaction of business.

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

11 (3) The State Department of Energy shall provide clerical, technical and management personnel
 12 to serve the commission.

13 (4) In order to assist the commission in its duties, state agencies shall regularly report to the
 14 commission on the respective state agencies' efforts to make progress toward the greenhouse gas
 15 emissions reduction goals established by ORS 468A.205 and to prepare for the effects of [*global*
 16 *warming*] **climate change**.

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

18 468A.235. The Oregon Climate Action Commission shall recommend ways to coordinate state
 19 and local efforts to reduce greenhouse gas emissions in Oregon consistent with the greenhouse gas
 20 emissions reduction goals established by ORS 468A.205 and shall recommend efforts to help Oregon
 21 prepare for the effects of [*global warming*] **climate change**. The Office of the Governor and state
 22 agencies working on multistate and regional efforts to reduce greenhouse gas emissions shall inform
 23 the commission about these efforts and shall consider input from the commission for such efforts.

24 **SECTION 7.** ORS 468A.245 is amended to read:

25 468A.245. The Oregon Climate Action Commission shall develop an outreach strategy to educate
 26 Oregonians about the scientific aspects and economic impacts of [*global warming*] **climate change**
 27 and to inform Oregonians of ways to reduce greenhouse gas emissions and ways to prepare for the
 28 effects of [*global warming*] **climate change**. The commission, at a minimum, shall work with state
 29 and local governments, the State Department of Energy, the Department of Education, the Higher
 30 Education Coordinating Commission and businesses to implement the outreach strategy.

31 **SECTION 8.** ORS 468A.250 is amended to read:

32 468A.250. (1) The Oregon Climate Action Commission shall track and evaluate:

33 (a) Economic, environmental, health and social assessments of [*global warming*] **climate change**
 34 impacts on Oregon and the Pacific Northwest;

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

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

38 (d) The physical science of [*global warming*] **climate change**;

39 (e) Progress toward the greenhouse gas emissions reduction goals, **net zero emissions goals**
 40 **and the net negative emissions goals** established by ORS 468A.205;

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

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

45 (h) Efforts to identify the greenhouse gas emissions attributable to the residential and commer-

1 cial building sectors;

2 (i) The carbon sequestration potential of Oregon’s natural and working lands, alternative meth-
 3 ods of land management that can increase carbon sequestration and reduce the loss of carbon
 4 sequestration to wildfire, changes in the mortality and distribution of tree and other plant species
 5 and the extent to which carbon is stored in tree-based building materials;

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

8 (k) Local and regional efforts to prepare for the effects of [*global warming*] **climate change**; and

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

11 (2) The commission shall:

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

15 (b) Use regional and national baseline studies of building performance to identify incremental
 16 targets for the reduction of greenhouse gas emissions attributable to residential and commercial
 17 building construction and operations;

18 (c) Prepare a detailed forecast of expected greenhouse gas emissions reductions; and

19 (d)(A) Periodically evaluate the greenhouse gas emissions reduction goals, **the net zero emis-**
 20 **sions goals and the net negative emissions goals** established by ORS 468A.205 and, as necessary,
 21 make recommendations to the Legislative Assembly for updating those goals based on the best
 22 available science.

23 (B) At a minimum, the commission shall complete an evaluation and provide any recommen-
 24 dations to the Legislative Assembly, in the manner provided in ORS 192.245, no later than 18 months
 25 after the date on which the United Nations Intergovernmental Panel on Climate Change publishes
 26 a synthesis report or the United States Global Change Research Program publishes a national cli-
 27 mate assessment.

28 **SECTION 9.** ORS 468A.255 is amended to read:

29 468A.255. The Oregon Climate Action Commission may recommend to the Governor the forma-
 30 tion of citizen advisory groups to explore particular areas of concern with regard to the reduction
 31 of greenhouse gas emissions and the effects of [*global warming*] **climate change**.

32 **SECTION 10.** ORS 468A.260 is amended to read:

33 468A.260. The Oregon Climate Action Commission shall submit a report to the Legislative As-
 34 sembly, in the manner provided by ORS 192.245, by December 1 of each even-numbered year that
 35 describes Oregon’s progress toward achievement of the greenhouse gas emissions reduction goals
 36 established by ORS 468A.205. The report may include relevant issues and trends of significance, in-
 37 cluding trends of greenhouse gas emissions, emerging public policy and technological advances. The
 38 report also may discuss measures the state may adopt to mitigate the impacts of [*global warming*]
 39 **climate change** on the environment, the economy and the residents of Oregon and to prepare for
 40 those impacts.

41 **SECTION 11.** **This 2024 Act being necessary for the immediate preservation of the public**
 42 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**
 43 **on its passage.**