

## HOUSE AMENDMENTS TO HOUSE BILL 3543

By COMMITTEE ON ENERGY AND THE ENVIRONMENT

May 14

1 On page 1 of the printed bill, line 2, delete “appropriating money;”.  
2 Delete lines 4 through 27 and delete pages 2 through 7 and insert:

### “LEGISLATIVE FINDINGS

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6 **“SECTION 1. The Legislative Assembly finds that:**

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

12 **“(2) In partnership with the Governor’s advisory group, 50 scientists signed the ‘Scien-**  
13 **tific Consensus Statement on the Likely Impacts of Climate Change on the Pacific North-**  
14 **west,’ which examined the potential effects of climate change on temperature, precipitation,**  
15 **sea level, marine ecosystems and terrestrial ecosystems. The scientists recommended addi-**  
16 **tional, improved scientific studies and modeling of the effects of climate change on the at-**  
17 **mosphere, oceans and land, as well as modeling of the effects of economic and management**  
18 **policies.**

19 **“(3) Global warming poses a serious threat to the economic well-being, public health,**  
20 **natural 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,**  
24 **extreme or unusual weather events, rising sea levels, increased occurrences of vector-borne**  
25 **diseases and impacts on forest health could significantly impact the economy, environment**  
26 **and quality of life in Oregon.**

27 **“(5) Global warming will have detrimental effects on many of Oregon’s largest industries,**  
28 **including agriculture, wine making, tourism, skiing, recreational and commercial fishing,**  
29 **forestry and hydropower generation, and will therefore negatively impact the state’s work-**  
30 **ers, consumers and residents.**

31 **“(6) There is a need to assess the current level of greenhouse gas emissions in Oregon,**  
32 **to monitor the trend of greenhouse gas emissions in Oregon over the next several decades**  
33 **and to take necessary action to begin reducing greenhouse gas emissions in order to prevent**  
34 **disruption of Oregon’s economy and quality of life and to meet Oregon’s responsibility to**  
35 **reduce the impacts and the pace of global warming.**

1       “(7) Oregon has been a national leader in energy conservation and environmental  
2 stewardship, including the areas of energy efficiency requirements and investments,  
3 renewable energy investments, natural resource conservation, greenhouse gas offset re-  
4 quirements and investments, and global warming pollution standards for passenger vehicles.  
5 Significant opportunities remain to reduce greenhouse gas emissions statewide, especially  
6 from major contributors of greenhouse gas emissions, including electricity production,  
7 transportation, building construction and operation, and the residential and consumer sec-  
8 tors.

9       “(8) Actions to reduce greenhouse gas emissions will reduce Oregon’s reliance on foreign  
10 sources of energy, lead to the development of technology, attract new businesses to Oregon  
11 and increase energy efficiency throughout the state, resulting in benefits to the economy and  
12 to individual businesses and residents.

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

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

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

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

21       “(c) Inform and shape national policies and actions in ways that are advantageous to  
22 Oregon residents and businesses; and

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

## 24 25                                   “GREENHOUSE GAS EMISSIONS REDUCTION GOALS

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

30       “(a) By 2010, arrest the growth of Oregon’s greenhouse gas emissions and begin to reduce  
31 greenhouse gas emissions.

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

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

34       “(2) The Legislative Assembly declares that it is the policy of this state for state and  
35 local governments, businesses, nonprofit organizations and individual residents to prepare  
36 for the effects of global warming and by doing so, prevent and reduce the social, economic  
37 and environmental effects of global warming.

38       “(3) This section does not create any additional regulatory authority for an agency of the  
39 executive department as defined in ORS 174.112.

## 40 41                                   “DEFINITIONS

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43       “SECTION 3. As used in sections 1 to 15 of this 2007 Act:

44       “(1) ‘Global warming’ means an increase in the average temperature of the earth’s at-  
45 mosphere that is associated with the release of greenhouse gases.

1           “(2) ‘Greenhouse gas’ means any gas that contributes to anthropogenic global warming  
2 including, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons,  
3 perfluorocarbons and sulfur hexafluoride.

4           “(3) ‘Greenhouse gas cap-and-trade system’ means a system that:

5           “(a) Establishes a total cap on greenhouse gas emissions from an identified group of  
6 emitters;

7           “(b) Establishes a market for allowances that represent emissions; and

8           “(c) Allows trading of allowances among greenhouse gas emitters.

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10   “OREGON GLOBAL WARMING COMMISSION

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12           “SECTION 4. (1) There is created the Oregon Global Warming Commission. The com-  
13 mission shall consist of 25 members, including 11 voting members appointed by the Governor  
14 under this section and 14 ex officio nonvoting members specified in section 5 of this 2007 Act.

15           “(2) Members of the commission appointed under this section shall be appointed so as to  
16 be representative of the social, environmental, cultural and economic diversity of the state  
17 and to be representative of the policy, science, education and implementation elements of the  
18 efforts to reduce greenhouse gas emissions and to prepare Oregon for the effects of global  
19 warming. Of the members appointed by the Governor under this section:

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

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

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

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

24           “(e) One member shall have significant experience in agriculture; and

25           “(f) One member shall have significant experience in environmental policy.

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

28           “(4) The term of office of a member appointed under this section is four years. Before  
29 the expiration of the term of a member, the Governor shall appoint a successor whose term  
30 begins on January 31 next following. A member appointed under this section is eligible for  
31 reappointment. In case of vacancy for any cause, the Governor shall make an appointment  
32 to become immediately effective for the unexpired term.

33           “(5) The members of the commission appointed under this section must be residents of  
34 this state. Failure of a member to maintain compliance with the eligibility requirements re-  
35 lated to the member’s appointment shall result in disqualification from serving on the com-  
36 mission.

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

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

41           “(a) The Director of the State Department of Energy;

42           “(b) The Director of Transportation;

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

44           “(d) The Director of the Department of Environmental Quality;

45           “(e) The Director of Agriculture;

1       “(f) The State Forester;  
2       “(g) The Water Resources Director; and  
3       “(h) Three additional ex officio nonvoting members, each from a state agency or an ac-  
4       ademic institution.  
5       “(2) The following representatives of the Legislative Assembly also shall serve as ex  
6       officio nonvoting members:  
7       “(a) Two members of the Senate, not from the same political party, appointed by the  
8       President of the Senate; and  
9       “(b) Two members of the House of Representatives, not from the same political party,  
10      appointed by the Speaker of the House of Representatives.  
11      “(3) Each legislative member serves at the pleasure of the appointing authority and may  
12      serve so long as the member remains in the chamber of the Legislative Assembly from which  
13      the member was appointed.  
14      “**SECTION 6.** Notwithstanding the term of office specified by section 4 of this 2007 Act,  
15      of the members first appointed to the Oregon Global Warming Commission pursuant to  
16      section 4 of this 2007 Act:  
17      “(1) Three shall serve for terms ending January 1, 2009.  
18      “(2) Three shall serve for terms ending January 1, 2010.  
19      “(3) Three shall serve for terms ending January 1, 2011.  
20      “(4) Two shall serve for terms ending July 1, 2011.  
21      “**SECTION 7.** (1) A majority of the members of the Oregon Global Warming Commission  
22      constitutes a quorum for the transaction of business.  
23      “(2) The commission shall meet at times and places specified by a majority of the mem-  
24      bers of the commission.  
25      “(3) The State Department of Energy shall provide clerical, technical and management  
26      personnel to serve the commission. Other agencies shall provide support as requested by the  
27      department or the commission.  
28      “**SECTION 8.** The Oregon Global Warming Commission may adopt by rule such standards  
29      and procedures as it considers necessary for the operation of the commission.  
30      “**SECTION 9.** The Oregon Global Warming Commission shall recommend ways to coordi-  
31      nate state and local efforts to reduce greenhouse gas emissions in Oregon consistent with  
32      the greenhouse gas emissions reduction goals established by section 2 of this 2007 Act and  
33      shall recommend efforts to help Oregon prepare for the effects of global warming. The Office  
34      of the Governor and state agencies working on multistate and regional efforts to reduce  
35      greenhouse gas emissions shall inform the commission about these efforts and shall consider  
36      input from the commission for such efforts.  
37      “**SECTION 10.** (1) In furtherance of the greenhouse gas emissions reduction goals estab-  
38      lished by section 2 of this 2007 Act, the Oregon Global Warming Commission may recommend  
39      statutory and administrative changes, policy measures and other recommendations to be  
40      carried out by state and local governments, businesses, nonprofit organizations or residents.  
41      In developing its recommendations, the commission shall consider economic, environmental,  
42      health and social costs, and the risks and benefits of alternative strategies, including least-  
43      cost options. The commission shall solicit and consider public comment relating to statutory,  
44      administrative or policy recommendations.  
45      “(2) The commission shall examine greenhouse gas cap-and-trade systems, including a

1 statewide and multistate carbon cap-and-trade system and market-based mechanisms, as a  
2 means of achieving the greenhouse gas emissions reduction goals established by section 2  
3 of this 2007 Act.

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

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

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

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

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

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

19 “(d) The physical science of global warming;

20 “(e) Progress toward the greenhouse gas emissions reduction goals established by section  
21 2 of this 2007 Act;

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

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

26 “(h) Efforts to identify the greenhouse gas emissions attributable to the residential and  
27 commercial building sectors;

28 “(i) The advancement of regional, national and international policies to reduce  
29 greenhouse gas emissions;

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

31 “(k) Any other information, policies or analyses that the commission determines will aid  
32 in the achievement of the greenhouse gas emissions reduction goals established by section  
33 2 of this 2007 Act.

34 “(2) The commission shall:

35 “(a) Work with the State Department of Energy and the Department of Environmental  
36 Quality to evaluate all gases with the potential to be greenhouse gases and to determine a  
37 carbon dioxide equivalency for those gases; and

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

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

44 “SECTION 14. The Oregon Global Warming Commission shall submit a report to the  
45 Legislative Assembly, in the manner provided by ORS 192.245, by March 31 of each odd-

1 numbered year that describes Oregon’s progress toward achievement of the greenhouse gas  
2 emissions reduction goals established by section 2 of this 2007 Act. The report may include  
3 relevant issues and trends of significance, including trends of greenhouse gas emissions,  
4 emerging public policy and technological advances. The report also may discuss measures the  
5 state may adopt to mitigate the impacts of global warming on the environment, the economy  
6 and the residents of Oregon and to prepare for those impacts.

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8 **“OREGON CLIMATE CHANGE RESEARCH INSTITUTE**

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

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

14 **“(a) Facilitate research by Oregon University System faculty on climate change and its**  
15 **effects on natural and human systems in Oregon;**

16 **“(b) Serve as a clearinghouse for climate change information;**

17 **“(c) Provide climate change information to the public in integrated and accessible for-**  
18 **mats;**

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

21 **“(e) Provide technical assistance to local governments to assist them in developing cli-**  
22 **mate change policies, practices and programs.**

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

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

31  
32 **“MISCELLANEOUS**

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34 **“SECTION 16. The unit captions used in this 2007 Act are provided only for the conven-**  
35 **ience of the reader and do not become part of the statutory law of this state or express any**  
36 **legislative intent in the enactment of this 2007 Act.**

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