

2019 Oregon Legislative Session  
House Bill 2020  
Public Hearing: February 15, 2019

Testimony to Joint Committee on Carbon Reduction  
Submitted by: American Federation of State, County and Municipal Employees, AFSCME Local 3336

Co-Chair Dembrow and Co-Chair Power

My name is Eric Feeley. I am the President of the American Federation of State County and Municipal Employees - Local 3336. We are the Union local that represents workers at the Oregon Department of Environmental Quality.

We are here today to show support for action on policies that responsibly address the current climate crisis. However, we are also here today to express our view that Sections 46-51 of HB 2020 is moving in the wrong direction. This portion of the bill transfers the duties and regulatory responsibility for the Greenhouse Gas Reporting Program from DEQ to a new Carbon Policy Office under the Department of Administrative Services.

Now this might sound to you all like a whole lot of self-interest: "DEQ Union argues to keep jobs". And you would be right about the self-interest but wrong about the reasoning behind it. Our objection is not due to a short-sighted emphasis on the loss of department jobs. Rather it is that we believe DEQ is the only agency that could effectively implement a cap-and-trade program for greenhouse gases as outlined in the bill.

As you know a cap-and-trade program is complex. Take just one aspect of this work: allowance allocations. Determining these cap-and-trade allowances requires knowledge of how factories, power plants, and other industrial sources of greenhouse gases operate. Because DEQ staff issue these air permits they are the officials who have this specific expertise. Having the ability to resolve technical disputes and questions related to a cap-and-trade program quickly and efficiently depends on having easy access to the engineers and air quality staff who are familiar with the emissions source.

DEQ is the only state agency that has the ability to synthesize the complex amount of information on emissions, climate, industrial processes and product life cycle analysis. Does it really make sense to carve out this one regulation from a broader environmental regulatory framework and move it into a silo that would be disconnected from all other air quality regulations that DEQ is responsible for administering?

Another major concern is that the new Oregon Climate Authority as described in this bill would be more susceptible to the influence of shifting political winds. The current DEQ structure is somewhat insulated from these effects since the agency takes its direction from the Environmental Quality Commission. With a new Climate Authority, any future Governor who was opposed to climate action could easily replace the director of that agency and direct them to rescind regulations or simply veto the Authority's budget and let it collapse from within. Look no further than our Nation's capitol for recent examples of how this could be done.

Finally, Oregon likes to consider itself a leader when it comes to protecting our environment. There's beach protection and bottle bill legislation. Less well known was Oregon's 1986 ban of the sale of the most polluting wood stoves. Those are examples of when taking the lead made sense. But being the first state in the Nation to create a standalone Climate Authority is not a path toward innovation but a path toward uncertainty.