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**To:** [SENR Exhibits](#)  
**Cc:** [Rep Leif](#); [Sen Heard](#); [Sen Dembrow](#)  
**Subject:** Opposition to 2020 SB 1530 "Relating to greenhouse gas emissions; ...and declaring an emergency."  
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February 9, 2020

To: Senate Interim Committee On Environment and Natural Resources

Testimony OPPOSING 2020 SB 1530 "Relating to greenhouse gas emissions; ...and declaring an emergency." (Ref. 1)

*Note: There seems to have been some confusion regarding the deadline for submitting testimony on this bill in this manner. If I missed the deadline, that's my fault for holding out to try and be as well-informed as possible, and for trying to make solid arguments.*

Hello. My name is Mike Berry. I am a legal citizen, a resident of Oregon senate district 01 and house district 02, and a voter. I was born and raised in Oregon- part of a family involved in log trucking, logging, mill work, and other activities. I became a mechanical engineer, left the state for work opportunities, and returned for (mostly) family considerations. I've observed the struggle of some of our communities whose economies are traditionally resource-based. I see them still suffering from the effects of a pendulum that swung to a position of loving nature to death after a period of over-exploitation. If you care to know more about what motivates me to get involved in this, please see my testimony (Ref. 2) regarding LC 19 (Ref. 3), the predecessor to this bill. Otherwise, here goes...

Frankly, I have not even tried to comprehend the numerous amendments that were introduced between Feb. 4 and Feb. 7. That includes Amendment 27, which alone appears to be 32 pages long.

**BOTTOM LINE:** I am opposed to SB 1530 in its entirety. I realize that, even if given an unlimited time to study the bill, there are parts of it that I probably would not understand, or even misunderstand. Nonetheless, I oppose. I do not intend insult to those who care about our state who have worked hard on this bill- but its foundation appears to be prepared for the benefit of the established greenhouse gas emissions trading program of California and provinces of Canada (as though it was prepared by them, or at least greatly influenced by them- or people affiliated with them). It does not appear to have been prepared with the intent of making life better for Oregonians (except maybe those in line for prevailing-wage jobs building the new things needed to transition away from "fossil fuels"). Nor does not appear that it would accomplish anything significant to help "save the world"- even if human-caused GHG emissions are as big of a problem as advertised.

More specifically-

1. Oregon's GHG emissions is said to be a TINY fraction of total global human-caused emissions. To reduce Oregon's emissions to ZERO would be almost inconsequential. Therefore, no physical emergency exists that this legislation would help to directly mitigate by any substantial amount. The inclusion of an "emergency clause" in the bill appears to be another instance of its abusive use- as a tool for political advantage and convenience.
2. The argument that the State of Oregon can serve as a model that others can then follow to help "save the planet" rings hollow. The country of China (among others) is a huge emitter of greenhouse gases, a big consumer of coal (with an increasing appetite for it). China has recently built and may be building more electric power plants fueled by coal. Those plants are typically dirtier than U.S. coal-burning plants, and are definitely dirtier than U.S. gas-fired plants. Furthermore, China absolutely dominates the production of much of the stuff of "clean energy", including polysilicon material and rare-earth metals. This sort of material and/or the added-value products that require them as inputs are then to be shipped across an ocean to build the infrastructure that North America would need to transition away from "fossil"

fuels? U.S. states, other countries, and regions with combined emissions great enough to move the needle (like China, India, & Southeast Asia) are going to follow Oregon's lead? I doubt it. In effect, passing this bill would codify the "off-shoring" of the emissions of much of civilization's current and future industries. Not too bright. We should not export even more of our emissions and jobs to other countries, especially ones with horrid records for environmental stewardship in other respects.

3. There is a school of thought that (globally) human-caused emissions of CO<sub>2</sub> are less a problem than is the reduction in things that serve as carbon sinks, e.g. deforestation. This might be improved by better forest management and planting trees- LOTS OF THEM. Globally. I believe the non-partisan group Timber Unity presented a variation of this idea specific to public land already under the stewardship of the State of Oregon to Oregon Governor Brown during the week of Feb. 3, 2020.

4. The "do nothing" alternative should not be discarded without due consideration of its merits. By some accounts, the current trend of the U.S. and Oregon with respect to per-capita emissions of GHGs is at least headed in the direction of reductions.

It appears likely that in spite of all this, we may collectively go with an approach that (from the standpoint of individual citizens of this state) is "top-down" government-dictated action, as in the passage of this bill or something similar. In that event:

1. It appears that this bill includes some skillful legal maneuvering that would define revenues from auctions as something different from a tax. Come on. It's tax. The appearance, if not the intent, is that the State Constitution's requirement for voter approval of taxes would be circumvented. After decades of court appointments of judges favored by the Democratic Party of Oregon, it seems likely that the assertion that the revenues from auctions are not tax would be affirmed. Regardless of that, it would seem the right and proper thing to do would be put the matter to a vote.

2. You may think I'm joking here, but I am not. One section of the bill either does or did say- "Prohibits sale or offer for sale of general service lamps that do not meet certain efficiency standards. Authorizes State Department of Energy to modify prohibition by rule to align with laws of adjacent states." Not a good idea. I love LED lamps, but consumers should be allowed the option of purchasing other types, including the traditional incandescent type. They might be selected for the purpose using as a HEAT source! Think about it. Incandescent light bulbs are frequently used for freeze protection of water service during those brief cold snaps. There are probably PEOPLE who need these at times as well- to avoid extreme discomfort or worse.

3. Many have raised the objection that a huge matter like this should not be decided during a "short session". In absence of a genuine emergency, I agree. But, I can see why the super-majority might proceed, citing the 2019 walkout by some state senators (which I heartily approved of) as some justification.

4. Again- Residents of Oregon should not be subjugated to benefit a corporation formed "to support the implementation of state and provincial greenhouse gas emissions trading programs"- a corporation run by people from the State of California and two Canadian provinces.

5. Some have raised concerns about a lack of transparency- specifically around access to records. That is NOT O.K. and should be addressed. There is already more than enough corruption in Oregon government- e.g.

a) the funneling of taxpayer-provided funds that should have been used to provide services to Medicaid patients to political purposes, and

b) legislation (which- by the way also included an "emergency clause"), which resulted in the "Public Purpose Charge" (another tax) for customers of many of Oregon's energy utility companies. This one not only circumvented voters, but I believe also deprived them of proper representation of their interests by the Public Utility Commission as is the PUC's duty. Right? Care should be taken not to create legislation that increases legal systemic corruption and cronyism in Oregon. The well-connected individuals who currently comprise the "cottage industry" in play here should not receive benefit unfairly.

6. Much of the concern about climate change seems to be based on projections from computer modeling. Computer modeling can be a powerful tool. Personally, I have done a bit of computer modeling (to do building energy simulations). I enjoyed it and found it most helpful. HOWEVER- someone once said something that I agree with whole-heartedly: "All models are wrong, but some are useful". Because the "science" and "knowledge" behind this legislative effort is largely based on modeling- it is likely WRONG, but USEFUL. Great care should be taken before taking over more of our economy and subjugating one portion of the citizenry to the benefit others with models as bases.

7. If SB 1530 goes forward, bureaucracy would be expanded. Bureaucracies tend to be like zombies

that resist being phased out when no longer useful. This is likely to bring with it much burden for taxpayers. We are already facing a crisis as a result of undisciplined spending. At least put a sunset date on this (if not already included).

In closing- please consider killing this bill, or at least modify it to be less harmful, or at least let the citizens of the state vote on this tax as intended by the State Constitution. I think we would do fine without this money-grab that would benefit mostly the well-connected.

I do not see this through the eyes of a frightened child who has been manipulated by adults. Rather, I see this through the eyes of an adult who likes to solve problems. One who has recognized the stench of corruption in our state government. One who cheered (although not out loud) when Kate Brown took over the reins as Oregon's Governor. Overall, I'm very disappointed in her. As it stands, I would fully support my elected representatives if they chose to employ unconventional tactics to obstruct this bill from becoming law.

Thank you.

References:

1. The bill:

<https://olis.oregonlegislature.gov/liz/2020R1/Downloads/MeasureDocument/SB1530/Introduced>

2. My testimony on LC 19, submitted via email on

1/27/2020: <https://olis.leg.state.or.us/liz/201911/Downloads/CommitteeMeetingDocument/209554>

3. "LC0019\_DRAFT\_2020\_Regular\_Session" (LC 19):

<https://olis.oregonlegislature.gov/liz/201911/Downloads/CommitteeMeetingDocument/208874>

Signed,

Michael S. (Mike) Berry

Resident, Oregon senate district 01 and house district 02

cc:

State Sen. for District 01

State Rep. for District 02

State Rep. for District 45, Michael Dembrow, Chair of Senate Interim Committee On Environment and Natural Resources