

HB 2659 STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

Action Date: 04/04/23

Action: Without recommendation as to passage and be referred to Rules.

Vote: 8-0-1-0

Yeas: 8 - Gamba, Hartman, Helm, Levy B, Marsh, McLain, Owens, Scharf

Exc: 1 - Boice

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Anna Glueder, LPRO Analyst

Meeting Dates: 4/4

WHAT THE MEASURE DOES:

Defines “climate rule” as “any rule adopted by the Land Conservation and Development Commission (LCDC) in response to Executive Order 20-04 requiring agencies to take action to reduce and regulate greenhouse gas emissions, including rules related to parking mandates, reduced-vehicle areas, transportation planning, electric vehicle infrastructure or housing density.” Requires LCDC to adopt amendments or replacement rules that advance climate targets and equity; result from collaboration with local governments impacted by the climate rules; develop an implementation timeline; allow for certain flexibilities and meaningful engagement with constituents for local governments; provide model ordinances implementing the rules which are enforceable against local governments who do not adopt amendments to the comprehensive plan or land use regulation; and balance the implementation of statewide planning goals. Prohibits the commission from adopting replacement rules or amendments to the climate rules unless the rule has support of at least 80 percent of all local governments affected by the rule and includes a comprehensive economic impact statement. Requires the Department of Land Conservation and Development (DLCD) to identify strategies to ensure funding for the local government’s implementation including requesting moneys necessary for grants to local governments in DLCD’s budget request. Requires DLCD to report on the rules update to an appropriate interim committee of the legislature by September 15, 2025. Sunsets January 2, 2028. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Goals associated with the DLCD rule update
- Intent of the measure
- Progress of the negotiations associated with DLCD rules
- Available extensions and exemptions included in current rulemaking

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2020, Governor Brown issued Executive Order 20-04 which directed state agencies to take certain actions to reduce and regulate greenhouse gas (GHG) emissions. The Executive Order “establishes science-based GHG emissions reduction goals and calls for the State of Oregon to reduce its GHG emissions (1) at least 45 percent below 1990 emissions levels by 2035; and (2) at least 80 percent below 1990 emissions levels by 2050.” In addition, the Executive Order directs state agencies to take certain actions. The Land Conservation and Development Commission, along with other commissions and agencies, was directed to prioritize implementation of the Statewide Transportation Strategy, adopted by the Oregon Transportation Commission, and establish in

This summary has not been adopted or officially endorsed by action of the committee.

HB 2659 STAFF MEASURE SUMMARY

their implementation of the Statewide Transportation Strategy GHG emissions reduction performance metrics amendments to the Transportation Planning Rule that direct changes to the transportation plans of metropolitan planning areas to meet GHG reduction goals.

House Bill 2659 would require the Land Conservation and Development Commission to update rules adopted in response to Governor's executive order on climate to address specific issues.