

**A-Engrossed**  
**Senate Bill 522**

Ordered by the Senate April 12  
Including Senate Amendments dated April 12

Sponsored by Senators DEMBROW, GOLDEN, Representative HELM (Pre-session 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.

Changes name of "Oregon Global Warming Commission" to "Oregon Climate Action Commission." Modifies membership and duties of commission.

Modifies state greenhouse gas emissions reduction goals. Directs state agencies to report to commission on progress toward achieving greenhouse gas emissions reduction goals.

**Directs Department of Environmental Quality, in consultation with commission, to evaluate opportunities to reduce Oregon's consumption-based greenhouse gas emissions and report to interim committees of Legislative Assembly related to environment no later than September 15, 2024.**

**A BILL FOR AN ACT**

1  
2 Relating to the Oregon Global Warming Commission; creating new provisions; and amending ORS  
3 352.823, 468A.205, 468A.210, 468A.215, 468A.220, 468A.225, 468A.230, 468A.235, 468A.240,  
4 468A.245, 468A.250, 468A.255 and 468A.260.

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

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

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

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

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

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

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

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

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

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

24 [(3)] **(4)** This section does not create any additional regulatory authority for an agency of the  
25 executive department as defined in ORS 174.112.

**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       **SECTION 2.** ORS 468A.210 is amended to read:

2       468A.210. As used in ORS [352.823 and] 468A.200 to 468A.260:

3       (1) “Global warming” means an increase in the average temperature of the earth’s atmosphere  
4 that is associated with the release of greenhouse gases.

5       (2) “Greenhouse gas” means any gas that contributes to anthropogenic global warming includ-  
6 ing, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons  
7 and sulfur hexafluoride.

8       [(3) “Greenhouse gas cap-and-trade system” means a system that:]

9       [(a) Establishes a total cap on greenhouse gas emissions from an identified group of emitters;]

10       [(b) Establishes a market for allowances that represent emissions; and]

11       [(c) Allows trading of allowances among greenhouse gas emitters.]

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

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

18       **SECTION 3.** ORS 468A.215 is amended to read:

19       468A.215. (1) There is created the Oregon [Global Warming] **Climate Action** Commission. The  
20 commission shall consist of [25] **35** members, including [11] **13** voting members appointed by the  
21 Governor under this section and [14] **22** [ex officio] nonvoting members specified in ORS 468A.220.

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

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

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

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

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

31       (e) One member shall have significant experience in agriculture; [and]

32       (f) One member shall have significant experience in environmental policy[.];

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

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

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

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

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

45       (5) The members of the commission appointed under this section must be residents of this state.

1 Failure of a member to maintain compliance with the eligibility requirements related to the  
2 member's appointment shall result in disqualification from serving on the commission.

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

5 **SECTION 4.** ORS 468A.220 is amended to read:

6 468A.220. (1) In addition to the members appointed under ORS 468A.215, the Oregon [*Global*  
7 *Warming*] **Climate Action** Commission includes the following [*ex officio*] nonvoting members:

8 (a) The Director of the State Department of Energy;

9 (b) The Director of Transportation;

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

11 (d) The Director of the Department of Environmental Quality;

12 (e) The Director of Agriculture;

13 (f) The State Forester;

14 (g) The Water Resources Director; [*and*]

15 **(h) The Director of the Department of Land Conservation and Development;**

16 **(i) The Director of the Oregon Health Authority;**

17 **(j) The Director of the Oregon Business Development Department;**

18 **(k) The Director of the Oregon Department of Administrative Services;**

19 **(L) The Director of the Department of Consumer and Business Services;**

20 **(m) The State Fish and Wildlife Director;**

21 **(n) The Director of the Housing and Community Services Department;**

22 **(o) The executive director of the Oregon Watershed Enhancement Board; and**

23 [*h*] **(p)** Three additional [*ex officio*] nonvoting members, each from a state agency or an aca-  
24 demic institution.

25 (2) The following representatives of the Legislative Assembly also shall serve as [*ex officio*]  
26 nonvoting members:

27 (a) Two members of the Senate, not from the same political party, appointed by the President  
28 of the Senate; and

29 (b) Two members of the House of Representatives, not from the same political party, appointed  
30 by the Speaker of the House of Representatives.

31 (3) Each legislative member serves at the pleasure of the appointing authority and may serve  
32 so long as the member remains in the chamber of the Legislative Assembly from which the member  
33 was appointed.

34 (4) Notwithstanding ORS 171.072, members of the commission who are members of the Legisla-  
35 tive Assembly are not entitled to mileage expenses or a per diem and serve as volunteers on the  
36 commission.

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

38 468A.225. (1) A majority of the **voting** members of the Oregon [*Global Warming*] **Climate Action**  
39 Commission constitutes a quorum for the transaction of business.

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

42 (3) The State Department of Energy shall provide clerical, technical and management personnel  
43 to serve the commission. [*Other agencies shall provide support as requested by the department or the*  
44 *commission.*]

45 **(4) In order to assist the commission in its duties, state agencies shall regularly report**

1 **to the commission on the respective state agencies' efforts to make progress toward the**  
2 **greenhouse gas emissions reduction goals established by ORS 468A.205 and to prepare for the**  
3 **effects of global warming.**

4 **SECTION 6.** ORS 468A.230 is amended to read:

5 468A.230. The Oregon [*Global Warming*] **Climate Action** Commission may adopt by rule such  
6 standards and procedures as it considers necessary for the operation of the commission.

7 **SECTION 7.** ORS 468A.235 is amended to read:

8 468A.235. The Oregon [*Global Warming*] **Climate Action** Commission shall recommend ways to  
9 coordinate state and local efforts to reduce greenhouse gas emissions in Oregon consistent with the  
10 greenhouse gas emissions reduction goals established by ORS 468A.205 and shall recommend efforts  
11 to help Oregon prepare for the effects of global warming. The Office of the Governor and state  
12 agencies working on multistate and regional efforts to reduce greenhouse gas emissions shall inform  
13 the commission about these efforts and shall consider input from the commission for such efforts.

14 **SECTION 8.** ORS 468A.240 is amended to read:

15 468A.240. (1) In furtherance of the greenhouse gas emissions reduction goals established by ORS  
16 468A.205, the Oregon [*Global Warming*] **Climate Action** Commission may recommend statutory and  
17 administrative changes, policy measures and other recommendations to be carried out by state and  
18 local governments, businesses, nonprofit organizations or residents. In developing its recommen-  
19 dations, the commission shall consider economic, environmental, health and social costs, and the  
20 risks and benefits of alternative strategies, including least-cost options. The commission shall solicit  
21 and consider public comment relating to statutory, administrative or policy recommendations.

22 [(2) *The commission shall examine greenhouse gas cap-and-trade systems, including a statewide*  
23 *and multistate carbon cap-and-trade system and market-based mechanisms, as a means of achieving the*  
24 *greenhouse gas emissions reduction goals established by ORS 468A.205.]*

25 [(3)] (2) The commission shall examine possible funding mechanisms to obtain low-cost  
26 greenhouse gas emissions reductions and energy efficiency enhancements, including but not limited  
27 to those in the natural gas industry.

28 **SECTION 9.** ORS 468A.245 is amended to read:

29 468A.245. The Oregon [*Global Warming*] **Climate Action** Commission shall develop an outreach  
30 strategy to educate Oregonians about the scientific aspects and economic impacts of global warming  
31 and to inform Oregonians of ways to reduce greenhouse gas emissions and ways to prepare for the  
32 effects of global warming. The commission, at a minimum, shall work with state and local govern-  
33 ments, the State Department of Energy, the Department of Education, the Higher Education Coor-  
34 dinating Commission and businesses to implement the outreach strategy.

35 **SECTION 10.** ORS 468A.250 is amended to read:

36 468A.250. (1) The Oregon [*Global Warming*] **Climate Action** Commission shall track and evalu-  
37 ate:

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

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

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

43 (d) The physical science of global warming;

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

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

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

5 (h) Efforts to identify the greenhouse gas emissions attributable to the residential and commer-  
6 cial building sectors;

7 (i) The carbon sequestration potential of Oregon's [*forests*] **natural and working lands**, alter-  
8 native methods of [*forest*] **land** management that can increase carbon sequestration and reduce the  
9 loss of carbon sequestration to wildfire, changes in the mortality and distribution of tree and other  
10 plant species and the extent to which carbon is stored in tree-based building materials;

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

13 (k) Local and regional efforts to prepare for the effects of global warming; and

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

16 (2) The commission shall:

17 (a) Work with the State Department of Energy and the Department of Environmental Quality  
18 to evaluate all gases with the potential to be greenhouse gases and to determine a carbon dioxide  
19 equivalency for those gases; [*and*]

20 (b) Use regional and national baseline studies of building performance to identify incremental  
21 targets for the reduction of greenhouse gas emissions attributable to residential and commercial  
22 building construction and operations[.];

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

24 **(d)(A) Periodically evaluate the greenhouse gas emissions reduction goals, the net zero**  
25 **emissions goals and the net negative emissions goals established by ORS 468A.205 and, as**  
26 **necessary, make recommendations to the Legislative Assembly for updating those goals**  
27 **based on the best available science.**

28 **(B) At a minimum, the commission shall complete an evaluation and provide any rec-**  
29 **ommendations to the Legislative Assembly, in the manner provided in ORS 192.245, no later**  
30 **than 18 months after the date on which the United Nations Intergovernmental Panel on**  
31 **Climate Change publishes a synthesis report or the United States Global Change Research**  
32 **Program publishes a national climate assessment.**

33 **SECTION 11.** ORS 468A.255 is amended to read:

34 468A.255. The Oregon [*Global Warming*] **Climate Action** Commission may recommend to the  
35 Governor the formation of citizen advisory groups to explore particular areas of concern with regard  
36 to the reduction of greenhouse gas emissions and the effects of global warming.

37 **SECTION 12.** ORS 468A.260 is amended to read:

38 468A.260. The Oregon [*Global Warming*] **Climate Action** Commission shall submit a report to  
39 the Legislative Assembly, in the manner provided by ORS 192.245, by [*March 31*] **December 1** of  
40 each [*odd-numbered*] **even-numbered** year that describes Oregon's progress toward achievement of  
41 the greenhouse gas emissions reduction goals established by ORS 468A.205. The report may include  
42 relevant issues and trends of significance, including trends of greenhouse gas emissions, emerging  
43 public policy and technological advances. The report also may discuss measures the state may adopt  
44 to mitigate the impacts of global warming on the environment, the economy and the residents of  
45 Oregon and to prepare for those impacts.

1        **SECTION 13.** ORS 352.823 is amended to read:

2        352.823. (1) The Oregon Climate Change Research Institute is established at Oregon State Uni-  
3        versity. In administering the institute, Oregon State University may seek the cooperation of other  
4        public universities listed in ORS 352.002.

5        (2) The purpose of the Oregon Climate Change Research Institute is to:

6        (a) Facilitate research by faculty at public universities listed in ORS 352.002 on climate change  
7        and its effects on natural and human systems in Oregon;

8        (b) Serve as a clearinghouse for climate change information;

9        (c) Provide climate change information to the public in integrated and accessible formats;

10       (d) Support the Oregon [*Global Warming*] **Climate Action** Commission in developing strategies  
11       to prepare for and to mitigate the effects of climate change on natural and human systems; and

12       (e) Provide technical assistance to local governments to assist them in developing climate  
13       change policies, practices and programs.

14       (3) The Oregon Climate Change Research Institute shall assess, at least once each biennium, the  
15       state of climate change science, including biological, physical and social science, as it relates to  
16       Oregon and the likely effects of climate change on the state. The institute shall submit the assess-  
17       ment to the Legislative Assembly in the manner provided in ORS 192.245 and to the Governor.

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

21       **SECTION 14.** (1) **The Department of Environmental Quality, in consultation with the**  
22       **Oregon Climate Action Commission, shall evaluate opportunities to reduce Oregon's**  
23       **consumption-based greenhouse gas emissions. The department shall present its findings in**  
24       **a report submitted in the manner provided in ORS 192.245, and may include recommendations**  
25       **for legislation, to the interim committees of the Legislative Assembly related to the envi-**  
26       **ronment, and the commission, no later than September 15, 2024.**

27       (2) **The report under this section must:**

28       (a) **Update Oregon's consumption-based greenhouse gas emissions inventory;**

29       (b) **Identify opportunities to reduce consumption-based greenhouse gas emissions through**  
30       **materials management or other state programs or policies;**

31       (c) **Include recommendations for regularly updating the consumption-based greenhouse**  
32       **gas emissions inventory; and**

33       (d) **Evaluate the effects of consumption-based greenhouse gas emissions reductions,**  
34       **taking into account economic, social and environmental factors.**

35       **SECTION 15.** (1) **The amendments to ORS 352.823, 468A.215, 468A.220, 468A.225, 468A.230,**  
36       **468A.235, 468A.240, 468A.245, 468A.250, 468A.255 and 468A.260 by sections 3 to 13 of this 2023**  
37       **Act are intended to change the name of the "Oregon Global Warming Commission" to the**  
38       **"Oregon Climate Action Commission."**

39       (2) **For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel**  
40       **may substitute for words designating the "Oregon Global Warming Commission," wherever**  
41       **they occur in statutory law, other words designating the "Oregon Climate Action Commis-**  
42       **sion."**