

# House Bill 3477

Sponsored by Representative GAMBA; Senators FREDERICK, GOLDEN, PATTERSON, PHAM K, TAYLOR

## 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act changes the state's goals to reduce greenhouse gases and changes the term "global warming" to "climate change" in some laws. (Flesch Readability Score: 65.2).

Modifies state greenhouse gas emissions reduction goals. Replaces the term "global warming" with "climate change" in provisions related to the Oregon Climate Action Commission.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to climate change; amending ORS 468A.200, 468A.205, 468A.210, 468A.215, 468A.225, 468A.235, 468A.245, 468A.250, 468A.255 and 468A.260; and declaring an emergency.

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

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

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

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

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

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

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

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

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

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

[(3)] **(4)** [*This section does not create*] **Nothing in this section creates** any additional regulatory authority for an agency of the executive department as defined in ORS 174.112.

**SECTION 2.** ORS 468A.200 is amended to read:

468A.200. The Legislative Assembly finds that:

(1) In December 2004, the Governor's Advisory Group on Global Warming issued its report calling for immediate and significant action to address global warming, to reduce Oregon's exposure to the risks of global warming and to begin to prepare for the effects of global warming. The advisory group also identified 46 specific recommendations for measurable reductions in the state's

**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 greenhouse gas emissions.

2 (2) In partnership with the Governor's advisory group, 50 scientists signed the "Scientific Con-  
3 sensus Statement on the Likely Impacts of Climate Change on the Pacific Northwest," which exam-  
4 ined the potential effects of climate change on temperature, precipitation, sea level, marine  
5 ecosystems and terrestrial ecosystems. The scientists recommended additional, improved scientific  
6 studies and modeling of the effects of climate change on the atmosphere, oceans and land, as well  
7 as modeling of the effects of economic and management policies.

8 (3) [*Global warming*] **Climate change** poses a serious threat to the economic well-being, public  
9 health, natural resources and environment of Oregon.

10 (4) Oregon relies on snowpack for summer stream flows to provide energy, municipal water,  
11 watershed health and irrigation. Also, a potential rise in sea levels threatens Oregon's coastal  
12 communities. Reduced snowpack, changes in the timing of stream flows, extreme or unusual weather  
13 events, rising sea levels, increased occurrences of vector-borne diseases and impacts on forest health  
14 could significantly impact the economy, environment and quality of life in Oregon.

15 (5) Oregon forests play a significant role in sequestering atmospheric carbon, and losing this  
16 potential to sequester carbon will have a significant negative effect on the reduction of carbon lev-  
17 els in the atmosphere.

18 (6) [*Global warming*] **Climate change** will have detrimental effects on many of Oregon's largest  
19 industries, including agriculture, wine making, tourism, skiing, recreational and commercial fishing,  
20 forestry and hydropower generation, and will therefore negatively impact the state's workers, con-  
21 sumers and residents.

22 (7) There is a need to assess the current level of greenhouse gas emissions in Oregon, to monitor  
23 the trend of greenhouse gas emissions in Oregon over the next several decades and to take neces-  
24 sary action to begin reducing greenhouse gas emissions in order to prevent disruption of Oregon's  
25 economy and quality of life and to meet Oregon's responsibility to reduce the impacts and the pace  
26 of [*global warming*] **climate change**.

27 (8) Oregon has been a national leader in energy conservation and environmental stewardship,  
28 including the areas of energy efficiency requirements and investments, renewable energy invest-  
29 ments, natural resource conservation, greenhouse gas offset requirements and investments, and  
30 [*global warming*] **climate change** pollution standards for passenger vehicles. Significant opportu-  
31 nities remain to reduce greenhouse gas emissions statewide, especially from major contributors of  
32 greenhouse gas emissions, including electricity production, transportation, building construction and  
33 operation, and the residential and consumer sectors.

34 (9) Actions to reduce greenhouse gas emissions will reduce Oregon's reliance on foreign sources  
35 of energy, lead to the development of technology, attract new businesses to Oregon and increase  
36 energy efficiency throughout the state, resulting in benefits to the economy and to individual busi-  
37 nesses and residents.

38 (10) In devising measures to achieve reduction of greenhouse gas emissions, Oregon must strive  
39 to not disadvantage Oregon businesses as compared to businesses in other states with which Oregon  
40 cooperates on regional greenhouse gas emissions reduction strategies.

41 (11) Policies pursued, and actions taken, by Oregon will:

42 (a) In concert with complementary policies and actions by other states and the federal govern-  
43 ment, substantially reduce the global levels of greenhouse gas emissions and the impacts of those  
44 emissions;

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

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

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

**SECTION 3.** ORS 468A.210 is amended to read:

468A.210. As used in ORS 468A.200 to 468A.260:

(1) "Global warming" means an increase in the average temperature of the earth's atmosphere that is associated with the release of greenhouse gases.

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

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

(4) **"Net zero emissions" means the amount of greenhouse gases emitted into the atmosphere is equal to the amount of greenhouse gases removed from the atmosphere, as determined by emissions accounting best practices over a specified period of time.**

**SECTION 4.** ORS 468A.215 is amended to read:

468A.215. (1) There is created the Oregon Climate Action Commission. The commission shall consist of 35 members, including 13 voting members appointed by the Governor under this section and 22 nonvoting members specified in ORS 468A.220.

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

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

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

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

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

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

(f) One member shall have significant experience in environmental policy;

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

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

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

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

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

(5) The members of the commission appointed under this section must be residents of this state. Failure of a member to maintain compliance with the eligibility requirements related to the

1 member's appointment shall result in disqualification from serving on the commission.

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

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

5 468A.225. (1) A majority of the voting members of the Oregon Climate Action Commission con-  
6 stitutes a quorum for the transaction of business.

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

9 (3) The State Department of Energy shall provide clerical, technical and management personnel  
10 to serve the commission.

11 (4) In order to assist the commission in its duties, state agencies shall regularly report to the  
12 commission on the respective state agencies' efforts to make progress toward the greenhouse gas  
13 emissions reduction goals established by ORS 468A.205 and to prepare for the effects of *[global*  
14 *warming]* **climate change**.

15 **SECTION 6.** ORS 468A.235 is amended to read:

16 468A.235. The Oregon Climate Action Commission shall recommend ways to coordinate state  
17 and local efforts to reduce greenhouse gas emissions in Oregon consistent with the greenhouse gas  
18 emissions reduction goals established by ORS 468A.205 and shall recommend efforts to help Oregon  
19 prepare for the effects of *[global warming]* **climate change**. The Office of the Governor and state  
20 agencies working on multistate and regional efforts to reduce greenhouse gas emissions shall inform  
21 the commission about these efforts and shall consider input from the commission for such efforts.

22 **SECTION 7.** ORS 468A.245 is amended to read:

23 468A.245. The Oregon Climate Action Commission shall develop an outreach strategy to educate  
24 Oregonians about the scientific aspects and economic impacts of *[global warming]* **climate change**  
25 and to inform Oregonians of ways to reduce greenhouse gas emissions and ways to prepare for the  
26 effects of *[global warming]* **climate change**. The commission, at a minimum, shall work with state  
27 and local governments, the State Department of Energy, the Department of Education, the Higher  
28 Education Coordinating Commission and businesses to implement the outreach strategy.

29 **SECTION 8.** ORS 468A.250 is amended to read:

30 468A.250. (1) The Oregon Climate Action Commission shall track and evaluate:

31 (a) Economic, environmental, health and social assessments of *[global warming]* **climate change**  
32 impacts on Oregon and the Pacific Northwest;

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

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

36 (d) The physical science of *[global warming]* **climate change**;

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

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

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

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

45 (i) The carbon sequestration potential of Oregon's natural and working lands, alternative meth-

ods of land management that can increase carbon sequestration and reduce the loss of carbon sequestration to wildfire, changes in the mortality and distribution of tree and other plant species and the extent to which carbon is stored in tree-based building materials;

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

(k) Local and regional efforts to prepare for the effects of *[global warming]* **climate change**; and

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

(2) The commission shall:

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

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

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

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

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

**SECTION 9.** ORS 468A.255 is amended to read:

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

**SECTION 10.** ORS 468A.260 is amended to read:

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

**SECTION 11. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.**