

Submitter: Jennifer Gunter

On Behalf Of:

Committee: Senate Committee On Energy and Environment

Measure, Appointment or Topic: SB1187

I OPPOSE Senate Bill 1187—the Climate Superfund sham. It's a costly, job-killing mess, legally shaky, and doomed to crash in court. Oregonians need real fixes, not this fantasy.

First, it claims weather picks on the poor, funneling 40% of funds to "environmental justice" zones. Nonsense—floods DO NOT check your paycheck. This DEI twist got laughed out of court in *Juliana v. United States*—Oregon's own climate flop, axed by the 9th Circuit and Supreme Court in 2023 for overreach. SB 1187's the same garbage.

Second, it's a cash grab. It slams fossil fuel companies for emissions since 1995, with NO cap on vague costs—health, trees, you name it. Taxpayers cough up \$300,000 to start, then get hammered when businesses hike prices. The Supreme Court's 2022 *West Virginia v. EPA* ruling says agencies can't pull this without clear power. SB 1187's blurry plan won't survive that test!

Third, it's a pipe dream. "Nature-based solutions"? Prove it. The DEQ's last climate scheme got trashed in 2023 by Oregon courts for sloppy rules. This sprawling mess—rules by 2028—begs for the same fate. Why bet on a loser?

It guts jobs, too. Retroactive penalties could chase energy firms out or force layoffs. Transportation, manufacturing, your grocery bill—all take the hit. No safety net, just pain. The Supreme Court's 2024 *Loper Bright* ruling kills agency wiggle room—courts won't buy DEQ's fuzzy math. Litigation's coming.

Costs will soar, bureaucracy will bloat. Agencies get a blank check; audits pile on red tape. The 2023 Big Oil ruling let states sue, but SB 1187's backdated grab could bust due process or federal energy turf—see *Massachusetts v. EPA* (2007). Oregon's overstepping.

It's rotten-suing won't fix the climate. Oregon courts kill sloppy rules; SCOTUS hates grand schemes. Look at the numbers: federal climate bloat's up 150% in 20 years, zero CO2 drop (GAO, 2021). California's DEI racket costs \$10 million yearly for nothing (State Auditor, 2023). Oregon's green push jacked electric bills 18% since 2015 (PUC, 2022). SB 1187's more of the same—useless and pricey. Oregon's \$200 million wildfire budget in 2021 went mostly to response, NOT prevention (State Forestry Dept.). DEI won't stop the next blaze. Reject this wreck now. Save us the mess.

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