



# ADVOCATE

Governor Brown:

On March 10, 2020, you signed Executive Order 20-04, directing state agencies to take actions to reduce and regulate greenhouse gas emissions. The order applies to 19 state agencies and commissions in total and specifically directs them to expedite the rulemaking process to the full extent allowed by law. The order also tasks the majority of the agencies subject to its provisions to report back to your office by May 15, 2020 with their proposed actions to reduce GHG emissions and mitigate the impacts of climate change.

Since this order was issued, the outbreak of COVID-19 has created an unprecedented economic and public health crisis in Oregon. This crisis has forced many of the industries in our state to focus their attention on complying with physical distancing mandates and new workplace restrictions while also trying to find ways to stay afloat amid such a sudden decline in sales and liquidity. Your administration, too, has been forced to work around the clock in an effort to respond to the outbreak and its impacts.

In recognizing the seriousness of the COVID-19 crisis and its longevity, we ask that you consider suspending Executive Order 20-04 immediately for the following reasons:

- E.O. 20-04 places an enormous burden on the state agencies subject to its provisions. Many of these agencies are currently focused on responding to the COVID-19 crisis and will be for the foreseeable future. Asking them to prioritize this order risks them being forced to pull time and resources away from their COVID-19 response efforts.
- E.O. 20-04 will require substantial financial resources to administer. Revenue projections are expected to be bleak, and Oregonians should anticipate substantial programmatic cuts in both the current and subsequent biennia. The state should continue to focus existing taxpayer dollars on COVID-19 response and recovery, not ramping up new programs that will cost tens of millions of dollars to implement.
- E.O. 20-04 will result in the direct regulation of dozens of industries through a variety of avenues. Virtually every one of these industries are struggling to survive the COVID-19 crisis and do not have the capacity due to lay-offs or furloughs to participate in a highly technical, expansive and expensive rulemaking process.
- Many of the industries that would be regulated under the order are currently engaged in essential business operations including manufacturing and trucking. These industries do not have the bandwidth to keep supply lines open and moving during this crisis while expending additional resources to comply with such an expansive new administrative program. The mandates required by E.O. 20-04 would jeopardize some of the very businesses that are most critical to keeping Oregonians safe and in their homes during this crisis.
- Current physical distancing requirements limit opportunities for meaningful public input. Oregonians need a full and fair opportunity to weigh in on such significant changes in state policies.

We acknowledge that Executive Order 20-04 is a priority for your administration and we understand the important role our industries play in protecting Oregon's environment, but we hope you will recognize the necessity of suspending this order's implementation until the COVID-19 crisis subsides. This action is paramount to protecting our economy from further retraction, preventing additional layoffs and assuring that essential industries can remain operational. Thank you for your consideration and for your leadership on behalf of Oregonians during this critical time.





KATE BROWN  
Governor

April 17, 2020

Shaun Jillions  
Executive Director  
Oregon Manufacturers & Commerce  
3080 25<sup>th</sup> Street SE  
Salem, OR 97301

Dear Mr. Jillions,

I am in receipt of your letter dated April 10, 2020 requesting that I direct state agencies to immediately stop work on implementing my executive order to reduce greenhouse gas emissions.

This executive order was a last resort after years of attempts to find a legislative path forward. In fact, as you and the other signatories to your letter know, in both of the last legislative sessions we had majorities of both chambers and a broad coalition of businesses and community groups supportive of legislation, only to have the Legislature grind to a halt when virtually all Republicans fled the state to deny quorum.

I have been clear and consistent on this issue, so let me restate my position again for you and others: climate change is crucial and urgent. We have heard that message loud and clear, especially from Oregon's youth. If we don't take immediate action, it is the next generation that will pay the price. We are seeing evidence that already points to another challenging summer season of drought, forest fire, and smoke. While certain actions to reduce greenhouse gas emissions have been achieved over the past several years, progress on setting a clear, science-based cap on carbon emissions has been thwarted with every delay tactic imaginable.

I will not use the excuse of one global crisis – COVID-19 – to further delay or slow the response to another global crisis, climate change.

Executive Order 20-04 establishes science-based emissions reduction goals for Oregon for the years 2035 and 2050, and directs state agencies to exercise their statutory authority to facilitate achievement of those goals. Executive Order 20-04 also provides specific directives to state agencies; for example, it directs the Oregon Public Utility Commission to work with utilities to implement wildfire mitigation plans to protect public safety and directs the Oregon Department of Energy to update energy efficiency standards for appliances.

Shaun Jillions  
April 17, 2020  
Page 2

By May 15 of this year, agencies named in Executive Order 20-04 will report to me on proposed actions, including plans and timelines for program scoping, rulemaking, and stakeholder engagement. This is the first step in the process of implementing Executive Order 20-04, with different timelines anticipated for different agencies moving forward. For example, directives to the Environmental Quality Commission and Department of Environmental Quality to cap and reduce emissions from certain sources does not have to be operational until 2022. Formal rulemaking, in that case, is not likely to commence until later this year at the earliest and will comply with the requirements of Oregon's Administrative Procedures Act (ORS 183).

Agencies will consider the challenges and uncertainties created by the pandemic and Oregon's changed fiscal and economic climate as they develop implementation plans for their May 15 reports. My team and I will review those agency plans to ensure that timelines are flexible and appropriate, and that actions can be adequately resourced and aligned with my public health, climate, and economic priorities.

Vast numbers of business leaders across the country, from businesses small and large, agree with me that climate action and widespread economic growth are not mutually exclusive. Self-interested businesses and dark money groups have cynically and continuously spread misinformation on climate change. They have spent millions on lobbyists and political donations to stop advancements in climate policy. I suppose it should not be a surprise to me that industries dependent on polluting the climate are using the current COVID-19 crisis to further delay action and place the health and economic burdens of greenhouse gas pollution onto future generations. But it is a huge disappointment.

As Oregon and the nation confront unprecedented circumstances stemming from the COVID-19 pandemic, my primary focus is protecting the health and wellbeing of all Oregonians. My second focus is getting our economy back up and running as quickly as possible. I appreciate the efforts of many Oregon businesses during this crisis to protect jobs, the health of employees, the provision of essential services, and the viability of enterprises.

As Governor, it is my responsibility to safeguard the health and wellbeing of Oregonians. While COVID-19 presents an immediate and unprecedented challenge for Oregon, the state must respond aggressively to the pandemic without ceasing work on the other critical priority of climate change. We face significant economic challenges in the weeks and months ahead. Collaboration with Oregon's business community will be essential as we chart the course of economic recovery. I know you and the other signatories have the potential of being a productive, collaborative participant in this recovery effort.

Shaun Jillions  
April 17, 2020  
Page 3

You and others have worked relentlessly to stop attempts at setting a cap on carbon pollution and reducing greenhouse gas emissions in a predictable, responsible way. Now, I ask you to please cease your cynical attempts to use the devastating COVID-19 crisis in supporting polluting industries on your path of obstruction.

Sincerely,

A handwritten signature in black ink that reads "Kate Brown" with a long horizontal flourish extending to the right.

Governor Kate Brown



**EXECUTIVE ORDER NO. 20-04**

**DIRECTING STATE AGENCIES TO TAKE ACTIONS TO REDUCE AND  
REGULATE GREENHOUSE GAS EMISSIONS**

WHEREAS, climate change and ocean acidification caused by greenhouse gas (GHG) emissions are having significant detrimental effects on public health and on Oregon's economic vitality, natural resources, and environment; and

WHEREAS, climate change has a disproportionate effect on the physical, mental, financial, and cultural wellbeing of impacted communities, such as Native American tribes, communities of color, rural communities, coastal communities, lower-income households, and other communities traditionally underrepresented in public processes, who typically have fewer resources for adapting to climate change and are therefore the most vulnerable to displacement, adverse health effects, job loss, property damage, and other effects of climate change; and

WHEREAS, climate change is contributing to an increase in the frequency and severity of wildfires in Oregon, endangering public health and safety and damaging rural economies; and

WHEREAS, the world's leading climate scientists, including those in the Oregon Climate Change Research Institute, predict that these serious impacts of climate change will worsen if prompt action is not taken to curb emissions; and

WHEREAS, the Intergovernmental Panel on Climate Change has identified limiting global warming to 2 degrees Celsius or less as necessary to avoid potentially catastrophic climate change impacts, and remaining below this threshold requires accelerated reductions in GHG emissions to levels at least 80 percent below 1990 levels by 2050; and

WHEREAS, Oregon, as a member of the U.S. Climate Alliance, has committed to implementing policies to advance the emissions reduction goals of the international Paris Agreement; and

WHEREAS, GHG emissions present a significant threat to Oregon's public health, economy, safety, and environment; and



**EXECUTIVE ORDER NO. 20-04**

**PAGE TWO**

WHEREAS, the transition from fossil fuels to cleaner energy resources can significantly reduce emissions and increase energy security and the resilience of Oregon communities in the face of climate change; and

WHEREAS, emissions from the transportation sector are the single largest source of GHG emissions in Oregon; and

WHEREAS, actions to reduce GHG emissions in Oregon's transportation sector will provide substantial public health co-benefits by reducing air pollutants from the combustion of gasoline and diesel fuel that are harmful to human health; and

WHEREAS, the rapid transition from internal combustion engines to zero-emission vehicles will play a key role in reducing emissions from the transportation sector and advancing the state's GHG emissions reduction goals; and

WHEREAS, zero-emission vehicles provide multiple benefits to Oregonians, including lower operating, maintenance, and fuel costs, and lower emissions of GHGs and other pollutants; and

WHEREAS, the Legislature established ambitious goals for the adoption of zero-emission vehicles in Senate Bill 1044 (2019); and

WHEREAS, rapid actions and investments by Oregon's utility sector to reduce GHG emissions and improve the resilience of the energy system in the face of climate change and wildfire risk can reduce risks for utility customers; and

WHEREAS, transitioning the traditional natural gas supply to renewable natural gas can significantly reduce GHG emissions; and

WHEREAS, energy efficiency standards in the built environment can reduce operating costs, save renters and homeowners money on their utility bills, improve the comfort and habitability of dwellings, and reduce GHG emissions; and

WHEREAS, product energy efficiency standards reduce costs for consumers, save energy, and reduce GHG emissions; and



**EXECUTIVE ORDER NO. 20-04**

**PAGE THREE**

WHEREAS, in the absence of effective federal engagement on these issues, it is the responsibility of individual states to take immediate actions to address climate change and ocean acidification; and

WHEREAS, after thorough hearings within the Oregon Legislature, a majority of both chambers support addressing climate change, and the failure of the Oregon Legislature to attain quorum has thwarted legislative action to achieve science-based GHG emissions reduction goals; and

WHEREAS, given the urgency and severity of the risks from climate change and ocean acidification, and the failure of the Legislature to address these immediate harms, the executive branch has a responsibility to the electorate, and a scientific, economic, and moral imperative to reduce GHG emissions and to reduce the worst risks of climate change and ocean acidification for future generations, to the greatest extent possible within existing laws; and

WHEREAS, existing laws grant authority to state agencies to take actions to regulate and encourage a reduction of GHG emissions in a variety of circumstances; and

WHEREAS, the Legislature through the Emergency Board took action on March 9, 2020, to provide permanent funding to the executive branch to pursue executive action on reducing GHG emissions; and

WHEREAS, considering climate change in agency planning and decision making will help inform decisions regarding climate change risks and avoid higher mitigation and adaptation costs in the future; and

WHEREAS, all agencies with jurisdiction over the sources of GHG emissions will need to continue to develop and implement programs that reduce emissions to reach the state's GHG goals; and

WHEREAS, all agencies with jurisdiction over natural and working landscapes in Oregon will need to prepare and plan for the impacts of climate change and take actions to encourage carbon sequestration and storage; and



**EXECUTIVE ORDER NO. 20-04**

**PAGE FOUR**

WHEREAS, the Legislature previously established the goal of achieving GHG levels “at least 75 percent below 1990 levels” by 2050, and our State has an urgent, moral obligation to set and achieve more ambitious GHG reduction goals.

**NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:**

1. **State Agencies.** The following state commissions and state agencies are subject to the directives set forth in this Executive Order:
  - A. Business Oregon;
  - B. Department of Administrative Services (DAS);
  - C. Department of Consumer and Business Services Building Codes Division (BCD);
  - D. Department of Land Conservation and Development (DLCD) and Land Conservation and Development Commission (LCDC);
  - E. Environmental Justice Task Force;
  - F. Environmental Quality Commission (EQC) and Department of Environmental Quality (DEQ);
  - G. Oregon Department of Agriculture (ODA);
  - H. Oregon Department of Energy (ODOE);
  - I. Oregon Department of Fish and Wildlife (ODFW);
  - J. Oregon Department of Forestry (ODF);
  - K. Oregon Department of Transportation (ODOT) and Oregon Transportation Commission (OTC);
  - L. Oregon Global Warming Commission;
  - M. Oregon Health Authority (OHA);
  - N. Oregon Water Resources Department (OWRD);
  - O. Oregon Watershed Enhancement Board (OWEB); and
  - P. Public Utility Commission of Oregon (PUC).



**EXECUTIVE ORDER NO. 20-04**

**PAGE FIVE**

2. **GHG Emissions Reduction Goals.** Consistent with the minimum GHG reduction goals set forth in ORS 468A.205(1)(c), this 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.
  
3. **General Directives to State Agencies.** From the date of this Executive Order, the state commissions and state agencies listed in paragraph 1 are directed to take the following actions:
  - A. **GHG Reduction Goals.** Agencies shall exercise any and all authority and discretion vested in them by law to help facilitate Oregon's achievement of the GHG emissions reduction goals set forth in paragraph 2 of this Executive Order.
  - B. **Expedited Agency Processes.** To the full extent allowed by law, agencies shall prioritize and expedite any processes and procedures, including but not limited to rulemaking processes and agency dockets, that could accelerate reductions in GHG emissions.
  - C. **Agency Decisions.** To the full extent allowed by law, agencies shall consider and integrate climate change, climate change impacts, and the state's GHG emissions reduction goals into their planning, budgets, investments, and policy making decisions. While carrying out that directive, agencies are directed to:
    - (1) Prioritize actions that reduce GHG emissions in a cost-effective manner;
    - (2) Prioritize actions that will help vulnerable populations and impacted communities adapt to climate change impacts; and
    - (3) Consult with the Environmental Justice Task Force when evaluating climate change mitigation and adaptation priorities and actions.
  - D. **Report on Proposed Actions.** The following agencies are directed to report to the Governor by May 15, 2020, on proposed actions within their statutory authority to reduce GHG emissions and mitigate climate change impacts: DEQ, DLCD, ODA, ODOE, ODFW, ODF, ODOT, OWRD, OWEB, and PUC.



EXECUTIVE ORDER NO. 20-04

PAGE SIX

E. Participation in Interagency Workgroup on Climate Impacts to Impacted Communities. The Governor's Office will convene an interagency workgroup on climate impacts to impacted communities to develop strategies to guide state climate actions, with participation by the following agencies and commissions: DEQ, DLCD, ODA, ODF, ODFW, ODOE, ODOT, OHA, OWEB, OWRD, PUC, Environmental Justice Task Force, Oregon Global Warming Commission, Oregon Parks and Recreation Department, and Oregon Sustainability Board.

4. Directives to the Environmental Quality Commission and the Department of Environmental Quality. In addition to the general directives set forth in paragraph 3, the EQC and DEQ are directed to take the following actions:

- A. Oregon's Clean Fuel Standards. Pursuant to its authority under ORS 468A.265 *et seq.* and other applicable laws, the EQC and DEQ shall take actions necessary to amend the low carbon fuel standards, and the schedule to phase in implementation of those standards, with the goal of reducing the average amount of GHG emissions per unit of fuel energy by 20 percent below 2015 levels by 2030, and 25 percent below 2015 levels by 2035.
- B. Clean Fuel Credits for Electrification. The EQC and DEQ are directed to advance methods accelerating the generation and aggregation of clean fuels credits by utilities that can advance the transportation electrification goals set forth in Senate Bill 1044 (2019).
- C. Sector-specific GHG Cap and Reduce Program. Pursuant to its authority under ORS 468A.005 *et seq.* and other applicable laws, the EQC and DEQ shall take actions necessary to:
- (1) Cap and reduce GHG emissions from large stationary sources of GHG emissions, consistent with the science-based emissions reduction goals set forth in paragraph 2 of this Executive Order;
  - (2) Cap and reduce GHG emissions from transportation fuels, including gasoline and diesel fuel, consistent with the science-based emissions reduction goals set forth in paragraph 2 of this Executive Order; and



**EXECUTIVE ORDER NO. 20-04**

**PAGE SEVEN**

- (3) Cap and reduce GHG emissions from all other liquid and gaseous fuels, including natural gas, consistent with the science-based emissions reduction goals set forth in paragraph 2 of this Executive Order.
  - D. Regulation of Landfill Methane Emissions. The EQC and DEQ shall take actions necessary to reduce methane gas emissions from landfills, as defined in ORS 459.005(14), that are aligned with the most stringent standards and requirements for reducing methane gas emissions from landfills adopted among the states having a boundary with Oregon.
  - E. Reduction of Food Waste. The EQC and DEQ are directed to take actions necessary to prevent and recover food waste, with the goal of reducing food waste by 50 percent by 2030, to reduce GHG emissions resulting from such waste, including but not limited to engaging with states and other jurisdictions, industry, food retailers, and brand manufacturers to develop and implement strategies to prevent and recover food waste.
  - F. Timeline and Implementation.
    - (1) No later than May 15, 2020, DEQ shall submit a report to the Governor regarding an estimated timeline for rulemaking necessary for implementing the directives of paragraph 4(A)–(B) and paragraph 4(D)–(E), above.
    - (2) DEQ shall submit a preliminary report to the Governor by May 15, 2020, regarding program options to cap and reduce emissions from large stationary sources, transportation fuels, and other liquid and gaseous fuels that can commence no later than January 1, 2022. A final report shall be due by June 30, 2020.
    - (3) Reports submitted pursuant to paragraph 4 of this Executive Order also should detail DEQ’s plans to engage impacted communities during the rulemaking process, in a manner consistent with ORS chapter 183.
5. Directives to the Public Utility Commission of Oregon. In addition to the general directives set forth in paragraph 3, the PUC is directed to consider the following factors and values, consistent with state law:



**EXECUTIVE ORDER NO. 20-04**

**PAGE EIGHT**

- A. Statement of Public Interest. It is in the interest of utility customers and the public generally for the utility sector to take actions that result in rapid reductions of GHG emissions, at reasonable costs, to levels consistent with the GHG emissions reduction goals set forth in paragraph 2 of this Executive Order, including transitioning to clean energy resources and expanding low carbon transportation choices for Oregonians.
- B. Regulatory Considerations. Executive Order 00-06, which ensures that the PUC maintains its independence in decision making, is reaffirmed. The directives in this Executive Order are consistent with Executive Order 00-06. When carrying out its regulatory functions, the PUC is directed to:
- (1) Determine whether utility portfolios and customer programs reduce risks and costs to utility customers by making rapid progress towards reducing GHG emissions consistent with Oregon's reduction goals;
  - (2) Encourage electric companies to support transportation electrification infrastructure that supports GHG reductions, helps achieve the transportation electrification goals set forth in Senate Bill 1044 (2019), and is reasonably expected to result in long-term benefit to customers;
  - (3) Prioritize proceedings and activities, to the extent consistent with other legal requirements, that advance decarbonization in the utility sector, and exercise its broad statutory authority to reduce GHG emissions, mitigate energy burden experienced by utility customers, and ensure system reliability and resource adequacy;
  - (4) Evaluate electric companies' risk-based wildfire protection plans and planned activities to protect public safety, reduce risks to utility customers, and promote energy system resilience in the face of increased wildfire frequency and severity, and in consideration of the recommendations made by the Governor's Council on Wildfire Response 2019 Report and Recommendations;



EXECUTIVE ORDER NO. 20-04

PAGE NINE

- (5) Convening periodic workshops for purposes of assisting electric companies, consumer-owned utilities, and operators of electrical distribution systems to develop and share best practices for mitigating wildfire risk; and
- (6) In cooperation with Oregon Housing and Community Services, establish a public process to address and mitigate differential energy burdens and other inequities of affordability and environmental justice, including rate design and other programs to mitigate energy burden.

6. **Directives to the Department of Consumer and Business Services Building Codes Division.** In addition to the general directives set forth in paragraph 3, BCD is directed to take the following actions:

- A. **Energy Efficiency Goal for New Construction.** BCD, through its advisory boards and committees, and in cooperation with ODOE, is directed to adopt building energy efficiency goals for 2030 for new residential and commercial construction. That goal shall represent at least a 60 percent reduction in new building annual site consumption of energy, excluding electricity used for transportation or appliances, from the 2006 Oregon residential and commercial codes.
- B. **Code Progress and Updates.** BCD, through its advisory boards and committees, and in cooperation with ODOE, is directed to evaluate and report on Oregon's current progress toward achieving the goal for new residential and commercial buildings, pursuant to paragraph 6(A) of this Executive Order, and options for achieving steady progress toward the goal over the next three code cycles (2023, 2026, and 2029). Pursuant to its authority under ORS 455.500, BCD also is directed to update the Reach Code on the same timeline. No later than September 15, 2020, BCD should submit a report to the Governor on current progress and options for achieving the goals over the next three code cycles. The report should be updated every three years thereafter.
- C. **Baseline Metrics and Reductions.** BCD, in cooperation with ODOE, is directed to agree on metrics, based on best practice and academic research, to inform the baseline and reductions associated with the code updates set forth in paragraph 6(B).



**EXECUTIVE ORDER NO. 20-04**

**PAGE TEN**

7. **Directives to the Oregon Department of Energy.** In addition to the general directives set forth in paragraph 3, ODOE is directed to take the following actions:
- A. **Energy Efficiency Standards.** ODOE is directed to pursue emissions reductions by establishing and updating energy efficiency standards for products at least to levels equivalent to the most stringent standards among West Coast jurisdictions, including grid-connected appliances that can be utilized to manage end-use flexible electrical loads. ODOE also is directed to periodically evaluate and update those standards, as practicable, to remain at least equivalent to the most stringent standards among West Coast jurisdictions.
  - B. **Rulemaking.** ODOE is directed to take actions necessary to establish and update energy efficiency standards for products sold or installed in Oregon that include but are not limited to the following:
    - (1) High CRI fluorescent lamps;
    - (2) Computers and computer monitors;
    - (3) Faucets;
    - (4) Shower heads;
    - (5) Commercial fryers;
    - (6) Commercial dishwashers;
    - (7) Commercial steam cookers;
    - (8) Residential ventilating fans;
    - (9) Electric storage water heaters; and
    - (10) Portable electric spas.
  - C. **Timeline.** Any rulemaking necessary to implement the directives set forth in paragraph 7(B) should be completed by September 1, 2020.
  - D. **Third-Party Validation for Cost Savings.** ODOE, in cooperation with BCD, is directed to contract with a third party consulting firm to assess cost implications, including long-term energy cost savings, of the energy efficiency and building code actions set forth in paragraph 6(A)–(B) of this Executive Order.



**EXECUTIVE ORDER NO. 20-04**

**PAGE ELEVEN**

8. **Directives to the Department of Administrative Services.** In addition to the general directives set forth in paragraph 3, DAS is directed to take the following actions:
- A. **Procurement Model for Zero-Emission Vehicles.** DAS is directed to develop a statewide policy and plan for state agencies to follow for procuring zero-emission vehicles, which local governments and special government bodies may use as a model program for furthering adoption of zero-emission vehicles for their fleets. The model program shall provide for a rate of procurement of zero-emission vehicles consistent with the findings and goals set forth in ORS 283.398 and the provisions of ORS 283.327. The model program may provide for DAS to participate in, sponsor, conduct, or administer cooperative procurements in accordance with ORS 279A.200 to ORS 279A.225, under which DAS, local governments, and special government bodies may procure zero-emission vehicles.
  - B. **GHG Implications of Contracting.** DAS is directed to review existing state procurement laws and practices to identify potential improvements that can reduce GHG emissions, consistent with the GHG reduction goals set forth in paragraph 2 of this Executive Order. DAS shall provide a report to the Governor no later than September 15, 2020, detailing options.
  - C. **GHG Reduction Goals and Electrification Goals.** DAS is directed to support the state in meeting the GHG reduction goals set forth in paragraph 2 of this Executive Order, and the zero-emission vehicle adoption goals set forth in Senate Bill 1044 (2019), through the rapid conversion of state fleets to zero-emission vehicles, and the expansion of electric vehicle charging infrastructure for public buildings. DAS shall provide a report to the Governor no later than September 15, 2020, detailing its plan.
9. **Directives to the Oregon Transportation Commission, Oregon Department of Transportation, Land Conservation and Development Commission, Environmental Quality Commission, and Oregon Department of Energy.**



**EXECUTIVE ORDER NO. 20-04**

**PAGE TWELVE**

- A. In a letter from the Governor, dated September 23, 2019, the OTC, LCDC, EQC, and ODOE were directed to prioritize implementation of the Statewide Transportation Strategy, adopted by the OTC. Those agencies are further directed to include the following elements in their implementation of the Statewide Transportation Strategy:
    - (1) Establishment of GHG emissions reduction performance metrics; and
    - (2) Amendments to the Transportation Planning Rule that direct changes to the transportation plans of metropolitan planning areas to meet GHG reduction goals.
  - B. ODOT and DLCD are directed to identify and implement means to provide financial and technical assistance to metropolitan planning areas for amendment to transportation and land use plans that meet the state GHG reduction goals, or more stringent goals adopted by a metropolitan planning area.
  - C. Implementation of the directives set forth in paragraph 9(A)–(B) shall be at the highest level within the agencies, with regular and direct reporting to the Governor. The first report shall be made to the Governor no later than June 30, 2020.
10. **Directives to the Oregon Department of Transportation.** In addition to the general directives set forth in paragraph 3, ODOT is directed to take the following actions:
- A. In consultation with DEQ, ODOE, other appropriate state agencies, and public utilities, ODOT is directed to conduct a statewide transportation electrification infrastructure needs analysis, with particular focus on rural areas of the state, across use types and vehicle classes, to facilitate the transportation electrification goals set forth in Senate Bill 1044 (2019). The study should be completed no later than June 30, 2021.
  - B. ODOT is directed to develop and apply a process for evaluating the GHG emissions implications of transportation projects as part of its regular capital planning and Statewide Transportation Improvement Program planning processes. ODOT shall provide a report on the process to the Governor no later than June 30, 2021.



**EXECUTIVE ORDER NO. 20-04**

**PAGE THIRTEEN**

11. **Directives to Oregon Health Authority.** In addition to the general directives set forth in paragraph 3, OHA is directed to take the following actions:
  - A. OHA is directed to deliver a report to the Governor, the Oregon Global Warming Commission, and the Environmental Justice Task Force no later than September 1, 2020, on the public health impacts of climate change in Oregon, with particular emphasis on the risks faced by vulnerable communities, including Oregon's nine federally recognized Native American tribes, communities of color, low income communities, and rural communities. OHA is directed to update the report annually.
  - B. OHA is directed to study the impacts of climate change on youth depression and mental health in Oregon and deliver a report to the Governor no later than June 30, 2021.
  - C. OHA and the Oregon Occupational Safety and Health Administration (OSHA) are directed to jointly develop a proposal for standards to protect workplace employees from exposure to wildfire smoke and excessive heat. The proposal should be completed no later than June 30, 2021.
  
12. **Directives to Oregon Global Warming Commission.** In addition to the general directives set forth in paragraph 3, the Global Warming Commission is directed to take the following actions:
  - A. In coordination with ODA, ODF, and OWEB, the Oregon Global Warming Commission is directed to submit a proposal to the Governor for consideration of adoption of state goals for carbon sequestration and storage by Oregon's natural and working landscapes, including forests, wetlands, and agricultural lands, based on best available science. The proposal shall be submitted no later than June 30, 2021.
  - B. Consistent with its reporting requirements in House Bill 3543 (2007), the Oregon Global Warming Commission shall also include reporting on progress toward the GHG reduction goals set forth in paragraph 2 of this Executive Order, and the zero-emission vehicle adoption goals set forth in SB 1044 (2019).



**EXECUTIVE ORDER NO. 20-04**  
**PAGE FOURTEEN**

13. **Effectiveness.** This Executive Order will remain in effect unless and until it is superseded by statute or another Executive Order.

Done at Salem, Oregon, this 10<sup>th</sup> day of March, 2020.

Handwritten signature of Kate Brown in blue ink.

Kate Brown  
GOVERNOR



ATTEST:

Handwritten signature of Bev Clarno in blue ink.

Bev Clarno  
SECRETARY OF STATE

## 1. Oregon News

# Gov. Kate Brown quietly takes lead role on Oregon campaign finance measure

Posted May 05, 2020

Posted May 05, 2020



Oregon Gov. Kate Brown during a press conference at the state Capitol, January 17, 2020. Beth Nakamura/The Oregonian

By [Hillary Borrud | The Oregonian/OregonLive](#)

Gov. Kate Brown is using her well-funded political action committee to back a November ballot [measure](#) that would amend the state Constitution to allow limits on money in politics. On April 30, the campaign to pass the constitutional amendment reported that the governor's [political action committee](#) provided \$8,333 in "management services," according to state campaign finance records.

That the governor would use some of her roughly \$1 million in political cash-on-hand to push for the donation caps isn't the only irony: She's was doing so even as the state Supreme Court [ruled](#) April 23 that campaign contribution limits do not violate free speech protections in the Oregon Constitution. In the opinion, justices upended decades of legal precedent that halted or prevented donation caps from taking effect.

Still, the strict limits on political money that voters passed in 2006 are not being enforced. On Friday, Secretary of State Bev Clarno's administration announced Oregon political candidates can continue to accept huge contributions.

Clarno concluded, based on a verbal opinion from the Oregon Department of Justice, that the Supreme Court's ruling on Portland metro-area contribution limits did not revive the state level limits that Oregon voters approved under Measure 47 in 2006. Both the Secretary of State's office and Department of Justice declined to outline the legal analysis. The author of the 2006 initiative, Dan Meek, disagreed and said he might ask the Supreme Court to clarify its ruling on that point.

The extent of Brown's involvement with the constitutional amendment campaign is still unclear. Two political consultants who advise Brown and manage her political action committees, Thomas Wheatley and Kevin Looper, could not be reached Monday afternoon.

Since the governor won reelection in 2018, she has largely avoided explaining how she plans to use the [large sums she continued to raise](#). Her disclosures in the state campaign finance system are some of the only clues as to how Brown plans to deploy the money.

Brown's other top expenditures reported so far for April include \$13,000 on salaries and health insurance through Providence and a \$5,000 contribution to the campaign to pass a high-earners and business tax measure to pay for homeless services in the Portland metro area.

The campaign to pass the constitutional amendment, which the Legislature voted last year to put before voters in November 2020, is just getting started. Its political action committee "Yes for fair and honest elections" formed April 2. So far, it's received one other noteworthy contribution: \$10,000 from AFSCME Council 75, a union that largely represents city, county and state employees across the state, according to state records.

-- Hillary Borrud: [hborrud@oregonian.com](mailto:hborrud@oregonian.com); @hborrud  
Subscribe to Oregonian/OregonLive [newsletters](#) and [podcasts](#) for the latest news and top stories.



## **MOTION**

**Executive Committee Meeting | May 20, 2020**

It is hereby moved the Executive Committee recommend the AGC Board support and authorize an amount not to exceed \$25,000 from the current public affairs budget for litigation costs associated with legally challenging the governor's Carbon Emissions Reduction Executive Order 20-04.