

Scott Campbell *Planning For The Next Crisis*

The coronavirus crisis has dealt a body blow to our economy and the livelihoods of many of us, to say nothing of the lives it has cost. It has stress-tested our government, our institutions, our infrastructure and our society — and starkly exposed long-ignored gaps and failures.

Tying medical insurance to employment fails when people lose their jobs. Lack of paid-leave fails when people have to choose between working when sick or missing a paycheck. An economy that relies on paying essential workers less than a livable wage fails those workers and itself.

Most important is our failure to take seriously the warnings of specialists, and to plan and prepare for a foreseeable — indeed, inevitable — event.

The next environmental crisis bearing down is the climate crisis. Make no mistake, it is here now. Wild fires and unlivable heat, hurricanes and floods, droughts and migration: these are daily headlines.

But we are experiencing just the tip of the iceberg (a disconcertingly apt figure of speech). More is coming. More frequent and more intense storms. More disruptions to global and regional economies, fuel sources and power grids. More migration pressures and potential conflicts.

Our responsibility is to plan and prepare, and to do so with urgency. The legislature is ready to send the Global Warming Solutions Act, H.688, to the Governor. As I've said before, this bill does not "solve global warming." But it does hold all of us to account to deal with our own contributions to greenhouse gas (GHG) emissions. More to the point for Vermont's economy, it requires us to take concrete actions to build resilience and to mitigate the effects of changes to the climate that are already baked in and unavoidable. Those actions require investment, but like any transition to new technologies, they also produce jobs and new business opportunities.

Why would we not embrace this? Objections have been raised that this bill unconstitutionally delegates legislative policy authority to unelected bureaucrats. It's an important question, and one the bill in fact addresses. It lays out a process with very clear and specific policy guidelines, focus areas, public experts to be consulted, and deliverables. There will be a Climate Council, which after due consideration will issue a Climate Action Plan, recommend further legislation as needed, and provide guidance to the Agency of Natural Resources (ANR) as to the form



and content of rules.

Proposed rules must then be reviewed by the Legislative Committee on Administrative Rules. Any rule or program that includes either State funding (an appropriation) or revenue (a tax or fee) requires further legislative approval. And any law, including this one, can be adjusted by a future legislature. Finally, far from unconstitutional delegation, constitutional separation of powers prevents the legislature, having issued clear directives in statute, from meddling in the executive branch's execution of those directives.

Another objection is that the bill allows "any person" to file suit. In fact, any person can sue the State at any time for any reason. The bill actually limits that right within narrow parameters, and restricts the remedy to a court ordering ANR to try harder. Monetary damages are prohibited, removing a key incentive for some persons; and if anyone files suit frivolously, they could be forced to pay the State's costs and attorneys' fees.

Even more far-fetched, some are calling this bill a carbon tax. It is not. There is no mention of taxes or fees. It is true the bill updates past voluntary GHG reduction goals — which we have failed to meet — and strengthens future

goals by making them requirements. Can we meet them? Yes, if we act now. Would meeting them cause an increase in fossil-fuel prices? Perhaps, or perhaps not, as over time transportation and building heating is electrified and demand for fossil fuels declines; many factors affect volatile fossil-fuel prices. What difference does Vermont's tiny economy and GHG emissions make to global climate change? That begs the question, if we don't take responsibility for our wastes, who should?

As with a hurricane about to make landfall, we need to stop arguing and get busy. Not to take this crisis seriously is irresponsible. Not to act now to plan and prepare condemns Vermont, and especially the most vulnerable, to suffer foreseeable — and inevitable — disasters.

Governor Phil Scott has shown leadership in his handling of the coronavirus crisis. He has listened to the experts, followed the science, stuck with a plan, and acted decisively. The climate crisis requires the same leadership, the same willingness to follow the science, the same decisiveness. I urge him to sign H.688.

Rep. Scott Campbell represents St. Johnsbury in the Vermont House.