

HOUSE MINORITY REPORT AMENDMENTS TO A-ENGROSSED SENATE BILL 324

By Nonconcurring Members of COMMITTEE ON ENERGY AND ENVIRONMENT

March 3

1 On page 1 of the printed A-engrossed bill, delete lines 3 and 4 and insert “amending ORS
2 646.912, 646.913, 646.921, 646.922 and 757.612; and providing for revenue raising that requires ap-
3 proval by a three-fifths majority.”.

4 Delete lines 6 through 20 and delete pages 2 through 4 and insert:
5

“VEHICLE FUEL BLENDING

6
7
8 **“SECTION 1. The Legislative Assembly finds and declares that it is the policy of this**
9 **state to reduce carbon emissions through the continuation of state programs and policies**
10 **that promote:**

11 **“(1) Research efforts into developing new or improved technologies to reduce carbon**
12 **emissions from automobiles or trucks;**

13 **“(2) The use of electric vehicles in this state through the provision of incentives for the**
14 **purchase of electric vehicles;**

15 **“(3) The conversion of vehicles that use gasoline or diesel to alternative fuel vehicles;**

16 **“(4) The development of electric vehicle charging stations and natural gas fueling**
17 **stations; and**

18 **“(5) The blending of gasoline in order to reduce greenhouse gas emissions per unit of fuel**
19 **energy.**

20 **“SECTION 2. ORS 646.912 is amended to read:**

21 **“646.912. (1) The State Department of Agriculture shall study and monitor ethanol fuel pro-**
22 **duction, use and sales in this state.**

23 **“[(2) When capacity of ethanol production facilities in Oregon reaches a level of at least 40 million**
24 **gallons, the department shall notify all retail dealers, nonretail dealers and wholesale dealers in this**
25 **state, in a notice that meets the requirements of subsection (3) of this section.]**

26 **“(2) By June 30 of each year, the department shall:**

27 **“(a) Determine the commercial availability of ethanol in this state;**

28 **“(b) Adopt a standard for the quality and percentage of ethanol by volume that must be**
29 **blended with any gasoline to be sold or offered for sale in this state during the next calendar**
30 **year; and**

31 **“(c) Provide notice to all retail dealers, nonretail dealers and wholesale dealers in this**
32 **state, in a notice that meets the requirements of subsection (4) of this section.**

33 **“(3) The annual standard adopted under subsection (2) of this section shall ensure com-**
34 **pliance with the standards adopted under ORS 646.913 and shall, to the extent feasible, pri-**

1 **oritize the use of commercially available ethanol:**

2 **“(a) With the lowest greenhouse gas emissions attributable to the ethanol throughout its**
3 **lifecycle; and**

4 **“(b) At a level that maximizes the use of ethanol commercially available in this state for**
5 **the calendar year.**

6 “[3] (4) The notice under subsection (2) of this section shall inform retail dealers, nonretail
7 dealers and wholesale dealers that:

8 *“(a) [The capacity of ethanol production facilities in Oregon has reached the levels described in*
9 *subsection (2) of this section] **The department has adopted a standard for the percentage of***
10 **ethanol by volume that must be blended with any gasoline to be sold or offered for sale in**
11 **this state during the next calendar year; and**

12 *“(b) [Three months] **Beginning on January 1 of the year** after the date of the notice, a retail*
13 *dealer, nonretail dealer or wholesale dealer may sell or offer for sale only gasoline described in ORS*
14 *646.913.*

15 **“SECTION 3.** ORS 646.913 is amended to read:

16 **“646.913. (1) Except as provided in subsection [(5)] (4) of this section, a retail dealer, nonretail**
17 **dealer or wholesale dealer may not sell or offer for sale gasoline unless the gasoline contains [10**
18 **percent ethanol by volume] the quality and percentage of ethanol by volume required by the**
19 **State Department of Agriculture pursuant to the department’s annually adopted standard**
20 **under ORS 646.912.**

21 *“(2) Gasoline containing ethanol that is sold or offered for sale meets the requirements of this*
22 *section if the gasoline, exclusive of denaturants and permitted contaminants, contains not less than 9.2*
23 *percent by volume of agriculturally derived, denatured ethanol that complies with the standards for*
24 *ethanol adopted by the State Department of Agriculture.]*

25 “[3] (2) The department shall adopt standards for ethanol blended with gasoline sold in this
26 state. The standards adopted shall require that the gasoline blended with ethanol:

27 *“(a) Contains ethanol that is derived from agricultural or woody waste or residue;*

28 *“(b) Contains ethanol denatured as specified in 27 C.F.R. parts 20 and 21;*

29 *“(c) Complies with the volatility requirements specified in 40 C.F.R. part 80;*

30 *“(d) Complies with or is produced from a gasoline base stock that complies with ASTM Inter-*
31 *national specification D 4814;*

32 *“(e) Is not blended with casinghead gasoline, absorption gasoline, drip gasoline or natural gas-*
33 *oline after the gasoline has been sold, transferred or otherwise removed from a refinery or terminal;*
34 *and*

35 *“(f) Contains ethanol that complies with ASTM International specification D 4806.*

36 “[4] (3) The department may review specifications adopted by ASTM International, or equiv-
37 alent organizations, and federal regulations and revise the standards adopted pursuant to this sec-
38 tion as necessary.

39 “[5] (4) A retail dealer, nonretail dealer or wholesale dealer may sell or offer for sale gasoline
40 that is not blended with ethanol if the gasoline has an octane rating, as defined in ORS 646.945, of
41 91 or above or if the gasoline is for use in:

42 *“(a) An aircraft:*

43 *“(A) With a supplemental type certificate approved by the Federal Aviation Administration that*
44 *allows the aircraft to use gasoline that is intended for use in motor vehicles; or*

45 *“(B) Issued a type certificate by an aircraft engine manufacturer that allows the aircraft to use*

1 gasoline that is intended for use in motor vehicles;

2 “(b) An aircraft that has been issued an experimental certificate, described in 14 C.F.R. 21.191,
3 by the Federal Aviation Administration and that is required by the manufacturer’s specifications to
4 use gasoline that is intended for use in motor vehicles;

5 “(c) A light-sport aircraft, as defined in 14 C.F.R. 1.1, that is required by the manufacturer’s
6 specifications to use gasoline that is intended for use in motor vehicles;

7 “(d) A vintage aircraft, as defined by the Oregon Department of Aviation by rule, that is re-
8 quired by the manufacturer’s specifications to use gasoline that is intended for use in motor vehi-
9 cles;

10 “(e) An antique vehicle, as defined in ORS 801.125;

11 “(f) A Class I all-terrain vehicle, as defined in ORS 801.190;

12 “(g) A Class III all-terrain vehicle, as defined in ORS 801.194;

13 “(h) A Class IV all-terrain vehicle, as defined in ORS 801.194 (2);

14 “(i) A racing activity vehicle, as defined in ORS 801.404;

15 “(j) A snowmobile, as defined in ORS 801.490;

16 “(k) Tools, including but not limited to lawn mowers, leaf blowers and chain saws; or

17 “(L) A watercraft.

18 “**SECTION 4.** ORS 646.921 is amended to read:

19 “646.921. (1) The State Department of Agriculture shall study and monitor biodiesel fuel pro-
20 duction, use and sales and certificates of analysis in this state.

21 “[*(2) When the capacity of biodiesel production facilities in Oregon reaches a level of at least 15
22 million gallons on an annualized basis, the department shall notify all retail dealers, nonretail dealers
23 and wholesale dealers in this state that the capacity of biodiesel production facilities in Oregon has
24 reached a level of at least 15 million gallons on an annualized basis and that a retail dealer, nonretail
25 dealer or wholesale dealer may sell or offer for sale diesel fuel only as described in ORS 646.922 (2)
26 after the date that is two months after the date of the notice given by the department under this sub-
27 section.*]

28 “**(2) By June 30 of each year, the department shall:**

29 “**(a) Determine the commercial availability of biodiesel and other renewable diesel in this
30 state;**

31 “**(b) Adopt a standard for the quality and percentage of biodiesel or other renewable
32 diesel by volume that diesel fuel must contain to be sold or offered for sale in this state
33 during the next calendar year; and**

34 “**(c) Notify all retail dealers, nonretail dealers and wholesale dealers in this state:**

35 “**(A) Of the annual standard adopted under this subsection; and**

36 “**(B) That beginning on January 1 of the year following the date of the notice, a retail
37 dealer, nonretail dealer or wholesale dealer may sell or offer for sale diesel fuel only as de-
38 scribed in ORS 646.922.**

39 “**(3) The annual standard adopted under subsection (2) of this section shall ensure com-
40 pliance with the standards adopted under ORS 646.922 and shall, to the extent feasible, pri-
41 oritize the use of commercially available biodiesel and other renewable diesels:**

42 “**(a) With the lowest greenhouse gas emissions attributable to the fuels throughout their
43 lifecycles; and**

44 “**(b) At a level that maximizes the use of biodiesel and other renewable diesels commer-
45 cially available in this state for the calendar year.**

1 “[(3)] (4) All retail dealers, nonretail dealers and wholesale dealers in Oregon are required to
2 provide, upon the request of the department, a certificate of analysis for biodiesel received.

3 “**SECTION 5.** ORS 646.922 is amended to read:

4 “646.922. (1) A retail dealer, nonretail dealer or wholesale dealer may not sell or offer for sale
5 diesel fuel unless the diesel fuel contains [*at least two percent biodiesel by volume or other renewable*
6 *diesel with at least two percent renewable component by volume*] **the quality and percentage of**
7 **biodiesel or other renewable diesel by volume required by the State Department of Agricul-**
8 **ture pursuant to the department’s annually adopted standard under ORS 646.921.**

9 “[(2)] *Two months after the date of the notice given under ORS 646.921 (2), a retail dealer, nonretail*
10 *dealer or wholesale dealer may not sell or offer for sale diesel fuel unless the diesel fuel contains at*
11 *least five percent biodiesel by volume or other renewable diesel with at least five percent renewable*
12 *component by volume. Diesel fuel that contains more than five percent biodiesel by volume or other*
13 *renewable diesel with more than five percent renewable component by volume must be labeled as the*
14 *State Department of Agriculture provides by rule.*]

15 “[(3)] (2) A retail dealer, nonretail dealer or wholesale dealer may sell or offer for sale diesel
16 fuel that otherwise meets the requirements of [*subsections (1) and (2)*] **subsection (1)** of this section
17 and rules adopted pursuant to ORS 646.957 but to which there have been added substances to pre-
18 vent congealing or gelling of diesel fuel containing biodiesel or other renewable diesel, without vi-
19 olating the requirements of [*subsections (1) and (2)*] **subsection (1)** of this section and rules adopted
20 pursuant to ORS 646.957. This subsection applies only to diesel fuel sold or offered for sale during
21 the period from October 1 of any year to February 28 of the following year.

22 “[(4)] (3) The department shall adopt standards, **including labeling standards**, for biodiesel or
23 other renewable diesel sold in this state. The department shall consult the specifications established
24 for biodiesel or other renewable diesel by ASTM International in forming the department’s stan-
25 dards. The department may review specifications adopted by ASTM International, or equivalent or-
26 ganizations, and revise the standards adopted pursuant to this subsection as necessary.

27 “[(5)] (4) The minimum biodiesel fuel content and renewable component in other renewable die-
28 sel requirements under [*subsections (1) and (2)*] **subsection (1)** of this section do not apply to diesel
29 fuel sold or offered for sale for use by:

30 “(a) Railroad locomotives[,];

31 “(b) Marine engines;

32 “(c) **Motor vehicles that are not designed primarily to transport persons or property, that**
33 **are operated on highways only incidentally, and that are used primarily for construction**
34 **work; or**

35 “(d) Home heating or to facilities that store more than 50 gallons of diesel fuel for use in
36 emergency power generation.

37
38 “**REDEDICATION OF CERTAIN PUBLIC PURPOSE CHARGE FUNDS**

39
40 “**SECTION 6.** ORS 757.612 is amended to read:

41 “757.612. (1) There is established an annual public purpose expenditure standard for electric
42 companies and Oregon Community Power to fund new cost-effective local energy conservation, new
43 market transformation efforts, the above-market costs of new renewable energy resources and new
44 low-income weatherization. The public purpose expenditure standard shall be funded by the public
45 purpose charge described in subsection (2) of this section.

1 “(2)(a) Beginning on the date an electric company or Oregon Community Power offers direct
2 access to *[its]* retail electricity consumers, except residential electricity consumers, the electric
3 company or Oregon Community Power shall collect a public purpose charge from all of the retail
4 electricity consumers located within *[its]* **the electric company’s or Oregon Community Power’s**
5 service area until January 1, 2026. Except as provided in paragraph (b) of this subsection, the public
6 purpose charge shall be equal to three percent of the total revenues collected by the electric com-
7 pany, Oregon Community Power or the electricity service supplier from *[its]* retail electricity con-
8 sumers for electricity services, distribution **services**, ancillary services, metering and billing,
9 transition charges and other types of costs included in electric rates on July 23, 1999.

10 “(b) For an aluminum plant that averages more than 100 average megawatts of electricity use
11 per year, *[beginning on March 1, 2002,]* the electric company or Oregon Community Power *[whose]*,
12 **whichever’s** territory abuts the greatest percentage of the site of the aluminum plant, shall collect
13 from the aluminum company a public purpose charge equal to one percent of the total revenue from
14 the sale of electricity *[services]* to the aluminum plant *[from any source]*.

15 “(3)(a) The Public Utility Commission shall establish rules implementing the provisions of this
16 section relating to electric companies and Oregon Community Power.

17 “(b) *[Subject to paragraph (e)]* **Except as provided in paragraph (d)(B)** of this subsection, funds
18 collected *[by an electric company or Oregon Community Power]* through public purpose charges **un-**
19 **der subsection (2) of this section** shall be allocated as follows:

20 “(A) **Subject to paragraph (d)(B) of this subsection**, sixty-three percent for new cost-effective
21 **local energy** conservation[,] **and** new market transformation **efforts**.

22 “(B) **Subject to paragraph (d)(B) of this subsection**, nineteen percent for the above-market
23 costs of constructing and operating new renewable energy *[resources]* **resource projects** with a
24 nominal electric generating capacity, as defined in ORS 469.300, of 20 megawatts or less.

25 “(C) Thirteen percent for new low-income weatherization.

26 “(D) Five percent *[shall be transferred to]* **for deposit in** the Housing and Community Services
27 Department Electricity Public Purpose Charge Fund established by ORS 456.587 (1) *[and used]* for
28 the purpose of providing grants as described in ORS 458.625 (2).

29 “(c) The costs of administering subsections (1) to (6) of this section for an electric company or
30 Oregon Community Power shall be paid out of the funds collected through public purpose charges.
31 The commission may require *[that]* an electric company or Oregon Community Power **to** direct funds
32 collected through public purpose charges to *[the]* state agencies responsible for implementing sub-
33 sections (1) to (6) of this section in order to pay the costs of *[administering such responsibilities]*
34 **implementation**.

35 “(d)(A) The commission shall direct the manner in which public purpose charges are collected
36 and spent by an electric company or Oregon Community Power and may require an electric company
37 or Oregon Community Power to expend funds through competitive bids or other means designed to
38 encourage competition, except that funds dedicated for **new** low-income weatherization shall be di-
39 rected to the Housing and Community Services Department as provided in subsection (7) of this
40 section.

41 “(B) *[The commission may also direct that]* **The commission also may require** funds collected
42 *[by an electric company or Oregon Community Power]* through public purpose charges **to** be paid **by**
43 **an electric company or Oregon Community Power:**

44 “(i) To a nongovernmental entity for investment in public purposes described in subsection (1)
45 of this section[.]; **and**

1 “(ii) Into the Carbon Reduction Technology Research and Development Fund established
2 under section 8 of this 2015 Act.

3 “(C) If the commission requires public purpose charges to be paid as described in sub-
4 paragraph (B) of this paragraph, the commission shall require an electric company and
5 Oregon Community Power to make payments in equal amounts to the nongovernmental en-
6 tity and into the Carbon Reduction Technology Research and Development Fund established
7 under section 8 of this 2015 Act.

8 “(D) [Notwithstanding any other provision of this subsection:] Except as provided in paragraph
9 (d)(B) and (C) of this subsection:

10 “[(A)] (i) At least 80 percent of the funds allocated for **new cost-effective local energy** con-
11 servation shall be spent within the service area of the electric company that collected the funds;
12 or

13 “[(B)] (ii) If Oregon Community Power collected the funds, at least 80 percent of the funds al-
14 located for **new cost-effective local energy** conservation shall be spent within the service area of
15 Oregon Community Power.

16 “(e)(A) The first 10 percent of [the] funds collected [annually] **each year** by an electric company
17 or Oregon Community Power under subsection (2) of this section shall be distributed to school dis-
18 tricts that are located in the service territory of the electric company or Oregon Community Power.
19 The funds shall be distributed to individual school districts according to the weighted average daily
20 membership (ADMw) of each school district for the prior fiscal year as calculated under ORS
21 327.013. The commission shall establish by rule a methodology for distributing a proportionate share
22 of funds under this paragraph to school districts that are only partially located in the service ter-
23 ritory of the electric company or Oregon Community Power.

24 “(B) A school district that receives funds under this paragraph shall use the funds first to pay
25 for energy audits for schools located within the school district. A school district may not expend
26 additional funds received under this paragraph on a school [facility] until an energy audit has been
27 completed for that school [facility]. To the extent practicable, a school district shall coordinate with
28 the State Department of Energy and incorporate federal funding in complying with this paragraph.
29 Following completion of an energy audit for an individual school, the school district may expend
30 funds received under this paragraph to implement the energy audit. Once an energy audit has been
31 conducted and completely implemented for each school within the school district, the school district
32 may expend funds received under this paragraph for any of the following purposes:

33 “(i) Conducting **additional** energy audits. A school district shall conduct an energy audit prior
34 to expending funds on any other purpose authorized under this paragraph unless the school district
35 has performed an energy audit within the three years immediately prior to receiving the funds.

36 “(ii) [Weatherization] **Weatherizing school district facilities** and upgrading the energy effi-
37 ciency of school district facilities.

38 “(iii) Energy conservation education programs.

39 “(iv) Purchasing electricity from [environmentally focused] sources **that protect the environ-**
40 **ment.** [and]

41 “(v) Investing in renewable energy resources.

42 “(f) The commission may not establish a different public purpose charge than the public purpose
43 charge described in subsection (2) of this section.

44 “(g) If the commission [directs] **requires** funds collected through public purpose charges to **be**
45 **paid to** a nongovernmental entity, the entity shall, **pursuant to an agreement entered into or**

1 **renewed between the commission and the entity:**

2 “(A) Include on the entity’s board of directors an ex officio member designated by the commis-
3 sion, who shall also serve on the entity’s nominating committee for filling board vacancies.

4 “(B) Require the entity’s officers and directors to provide an annual disclosure of economic in-
5 terest to be filed with the commission on or prior to April 15 of each calendar year for public review
6 in a form similar to the statement of economic interest required for public officials under ORS
7 244.060.

8 “(C) Require the entity’s officers and directors to declare actual and potential conflicts of in-
9 terest at regular meetings of the entity’s governing body when such conflicts arise, and require an
10 officer or director to abstain from participating in any discussion or [*vote*] **voting** on any item where
11 that officer or director has an actual conflict of interest. For the purposes of this subparagraph,
12 ‘actual conflict of interest’ and ‘potential conflict of interest’ have the meanings given those terms
13 in ORS 244.020.

14 “(D) **Annually**, arrange for an independent auditor to audit the entity’s financial statements
15 [*annually*], and direct the auditor to file an audit opinion with the commission for public review.

16 “(E) **Annually** file with the commission [*annually*] the entity’s budget, action plan and quarterly
17 and annual reports for public review.

18 “(F) At least once every five years, contract for an independent management evaluation to re-
19 view the entity’s operations, efficiency and effectiveness, and direct the independent reviewer to file
20 a report with the commission for public review.

21 “(h) The commission may remove from the board of directors of a nongovernmental entity an
22 officer or director who fails to provide an annual disclosure of economic interest, or **who fails to**
23 **declare an** actual or potential conflict of interest, as described in paragraph (g)(B) and (C) of this
24 subsection, [*in connection with*] **if the failure is connected to** the allocation or expenditure of funds
25 collected through public purpose charges and [*directed*] **paid** to the entity.

26 “(4)(a) An electric company that satisfies its obligations under this section [*shall have*]:

27 “(A) **Has** no further obligation to invest in **new cost-effective local energy** conservation, new
28 market transformation or new low-income weatherization or to provide a commercial energy con-
29 servation services program; and

30 “(B) Is not subject to ORS 469.631 to 469.645 and 469.860 to 469.900.

31 “(b) Oregon Community Power, for any period during which Oregon Community Power collects
32 a public purpose charge under subsection (2) of this section:

33 “(A) [*Shall have*] **Has** no [*other*] **further** obligation to invest in **new cost-effective local energy**
34 conservation, new market transformation or new low-income weatherization or to provide a com-
35 mercial energy conservation services program; and

36 “(B) Is not subject to ORS 469.631 to 469.645 and 469.860 to 469.900.

37 “(5)(a) A retail electricity consumer that uses more than one average megawatt of electricity
38 at any site in the prior year shall receive a credit against public purpose charges billed by an
39 electric company or Oregon Community Power for that site. The amount of the credit shall be equal
40 to the total amount of qualifying expenditures for new **cost-effective local** energy conservation, not
41 to exceed 68 percent of the annual public purpose charges, and the above-market costs [*of*
42 *purchases*] of new renewable energy resources incurred by the retail electricity consumer, not to
43 exceed 19 percent of the annual public purpose charges, less administration costs incurred under
44 this subsection. The credit may not exceed, on an annual basis, the lesser of:

45 “(A) The amount of the retail electricity consumer’s qualifying expenditures; or

1 “(B) The portion of the public purpose charge billed to the retail electricity consumer that is
2 dedicated to new **cost-effective local** energy conservation, new market transformation or the
3 above-market costs of new renewable energy resources.

4 “(b) To obtain a credit under this subsection, a retail electricity consumer shall file with the
5 State Department of Energy a description of the proposed conservation project or new renewable
6 energy resource and a declaration that the retail electricity consumer plans to incur the qualifying
7 expenditure. The State Department of Energy shall issue a notice of precertification within 30 days
8 of receipt of the filing, if such filing is consistent with this subsection. The credit may be taken after
9 a retail electricity consumer provides a letter from a certified public accountant to the State De-
10 partment of Energy verifying that the precertified qualifying expenditure has been made.

11 “(c) Credits earned by a retail electricity consumer as a result of qualifying expenditures that
12 are not used in one year may be carried forward for use in subsequent years.

13 “(d)(A) A retail electricity consumer that uses more than one average megawatt of electricity
14 at any site in the prior year may request that the State Department of Energy hire an independent
15 auditor to assess the potential for conservation investments at the site. If the independent auditor
16 determines there is no available conservation measure at the site that would have a simple payback
17 of one to 10 years, the retail electricity consumer shall be relieved of 54 percent of its payment
18 obligation for public purpose charges related to the site. If the independent auditor determines that
19 there are potential conservation measures available at the site, the retail electricity consumer shall
20 be entitled to a credit against public purpose charges related to the site equal to 54 percent of the
21 public purpose charges less the estimated cost of available conservation measures.

22 “(B) A retail electricity consumer shall be entitled each year to the credit described in this
23 subsection unless a subsequent independent audit determines that new conservation investment op-
24 portunities are available. The State Department of Energy may require that a new independent audit
25 be performed on the site to determine whether new conservation measures are available, provided
26 that the independent audits *[shall]* occur no more than once every two years.

27 “(C) The retail electricity consumer shall pay the cost of the independent audits described in
28 this subsection.

29 “(6) Electric utilities and retail electricity consumers shall receive a fair and reasonable credit
30 for the public purpose expenditures of their energy suppliers. The State Department of Energy shall
31 adopt rules to determine eligible expenditures and the *[methodology]* **method** by which such credits
32 are accounted for and used. The *[rules]* **State Department of Energy** also shall adopt methods to
33 account for eligible public purpose expenditures made through consortia or collaborative projects.

34 “(7)(a) In addition to the public purpose charge provided under subsection (2) of this section, an
35 electric company or Oregon Community Power shall collect funds for low-income electric bill pay-
36 ment assistance in an amount determined under paragraph (b) of this subsection.

37 “(b) The commission shall establish the amount to be collected by each electric company in
38 calendar year 2008 from retail electricity consumers served by the company, and the rates to be
39 charged to retail electricity consumers served by the company, so that the total anticipated col-
40 lection for low-income electric bill payment assistance by all electric companies in **the** calendar
41 year 2008 is \$15 million. In **the** calendar year 2009 and subsequent calendar years, the commission
42 may not change the rates established for retail electricity consumers, but the total amount collected
43 in a calendar year for low-income electric bill payment assistance may vary based on electricity
44 usage by retail electricity consumers and changes in the number of retail electricity consumers in
45 this state. In no event shall a retail electricity consumer be required to pay more than \$500 per

1 month per site for low-income electric bill payment assistance.

2 “(c) Funds collected [by] **through** the low-income electric bill payment assistance charge shall
3 be paid into the Housing and Community Services Department Low-Income Electric Bill Payment
4 Assistance Fund established by ORS 456.587 (2). Moneys deposited in the **Housing and Community**
5 **Services Department Low-Income Electric Bill Payment Assistance** Fund under this paragraph
6 shall be used by the Housing and Community Services Department **solely** for [*the purpose of*
7 *funding*] **purposes related to** low-income electric bill payment assistance[.] **and for the Housing**
8 **and Community Services** Department’s cost of administering this subsection. [*shall be paid out of*
9 *funds collected by the low-income electric bill payment assistance charge. Moneys deposited in the fund*
10 *under this paragraph shall be expended solely for low-income electric bill payment assistance.*] Funds
11 collected [*from*] **by** an electric company or Oregon Community Power **under this subsection** shall
12 be expended in the service area of the electric company or Oregon Community Power from which
13 the funds are collected.

14 “(d)(A) The Housing and Community Services Department, in consultation with the advisory
15 committee on energy established by ORS 458.515, shall determine the manner in which funds col-
16 lected under this subsection will be allocated by the department to energy assistance program pro-
17 viders for the purpose of providing low-income bill payment [*and crisis*] assistance.

18 “(B) The **Housing and Community Services** Department, **in consultation with electric**
19 **companies**, shall investigate and may implement alternative delivery models specified by the advi-
20 sory committee on energy[, *in consultation with electric companies,*] to effectively reduce service
21 disconnections and related costs to retail electricity consumers and electric utilities.

22 “(C) Priority assistance shall be directed to low-income electricity consumers who are in danger
23 of having their electricity service disconnected.

24 “(D) The **Housing and Community Services** Department shall maintain records and provide
25 those records upon request to an electric company, Oregon Community Power and the Citizens’
26 Utility Board established under ORS chapter 774 on a quarterly basis. Records maintained must
27 include the numbers of low-income electricity consumers served, the average amounts paid **to low-**
28 **income electricity consumers** and the type of assistance provided **to low-income electricity**
29 **consumers**. Electric companies and Oregon Community Power shall, if requested, provide the
30 **Housing and Community Services** Department with aggregate data relating to consumers served
31 on a quarterly basis to support program development.

32 “(e) Interest on moneys deposited in the Housing and Community Services Department Low-
33 Income Electric Bill Payment Assistance Fund established by ORS 456.587 (2) may be used to pro-
34 vide bill payment [*and crisis*] assistance to electricity consumers whose primary source of heat is
35 not electricity.

36 “(f) Notwithstanding ORS 757.310, the commission may allow an electric company or Oregon
37 Community Power to provide reduced rates or other payment [*or crisis*] assistance or low-income
38 program assistance to a low-income household eligible for assistance under the federal Low Income
39 Home Energy Assistance Act of 1981, as amended and in effect on July 23, 1999.

40 “(8) For purposes of this section, ‘retail electricity consumers’ includes any direct service in-
41 dustrial consumer that purchases electricity without purchasing distribution services from the elec-
42 tric utility.

43 “(9) For purposes of this section, [*amounts*] **funds** collected by Oregon Community Power
44 through public purpose charges are not considered moneys received from electric utility operations.

45 “**SECTION 7. (1) The Higher Education Coordinating Commission shall develop, maintain**

1 and manage a consortium created for the purpose of promoting and advancing research and
2 development of carbon reduction technologies related to transportation fuels.

3 “(2) The consortium shall be composed of representatives from each of the following:

4 “(a) The University of Oregon.

5 “(b) Portland State University.

6 “(c) Oregon State University.

7 “(3) Members of the consortium shall:

8 “(a) Establish a grant program and select qualified applicants to receive grants from
9 funds available in the Carbon Reduction Technology Research and Development Fund estab-
10 lished under section 8 of this 2015 Act;

11 “(b) Make grants for the purpose of facilitating research and development of carbon re-
12 duction technologies related to transportation fuels; and

13 “(c) Facilitate programs at the member universities for research and development of
14 carbon reduction technologies related to transportation fuels.

15 “(3) The commission may adopt rules to implement this section.

16 “SECTION 8. (1) The Carbon Reduction Technology Research and Development Fund is
17 established in the State Treasury, separate and distinct from the General Fund. Interest
18 earned by the Carbon Reduction Technology Research and Development Fund shall be cred-
19 ited to the fund. The purpose of the fund is to facilitate the research and development of
20 carbon reduction technology related to transportation fuels.

21 “(2) Moneys in the Carbon Reduction Technology Research and Development Fund are
22 continuously appropriated to the Higher Education Coordinating Commission for use by the
23 consortium established under section 7 of this 2015 Act.

24 “SECTION 9. The amendments to ORS 757.612 by section 6 of this 2015 Act apply to re-
25 venues collected by electric companies, Oregon Community Power and electricity service
26 suppliers on and after the effective date of this 2015 Act.

27
28 “CAPTIONS

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30 “SECTION 10. The unit captions used in this 2015 Act are provided only for the conven-
31 ience of the reader and do not become part of the statutory law of this state or express any
32 legislative intent in the enactment of this 2015 Act.”.

33 /s/ Cliff Bentz
34 Representative

35 /s/ Mark Johnson
36 Representative