

## HOUSE AMENDMENTS TO HOUSE BILL 3610

By COMMITTEE ON ENERGY AND THE ENVIRONMENT

February 13

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and insert “468A.215,  
2 468A.220,”.

3 In line 3, delete “repealing ORS 468A.210;”.

4 Delete lines 5 through 28 and delete pages 2 through 4 and insert:

5 **“SECTION 1.** ORS 468A.235 is amended to read:

6 **“468A.235. (1)** The Oregon Global Warming Commission shall recommend ways to coordinate  
7 state and local efforts to reduce greenhouse gas emissions in Oregon consistent with the greenhouse  
8 gas emissions reduction goals established by ORS 468A.205 and shall recommend efforts to help  
9 Oregon prepare for the effects of global warming. The Office of the Governor and state agencies  
10 working on **state**, multistate and regional efforts to reduce greenhouse gas emissions shall inform  
11 the commission **and the Legislative Assembly** about these efforts and shall consider input from the  
12 commission for such efforts.

13 **“(2) The following agencies shall identify existing programs and activities that could**  
14 **contribute to meeting the greenhouse gas emissions reduction goals specified in ORS**  
15 **468A.205:**

16 **“(a) The State Department of Energy;**

17 **“(b) The Department of Transportation;**

18 **“(c) The Public Utility Commission;**

19 **“(d) The State Forestry Department;**

20 **“(e) The Department of Environmental Quality;**

21 **“(f) The Water Resources Department;**

22 **“(g) The Department of Higher Education;**

23 **“(h) The State Department of Agriculture;**

24 **“(i) The Department of Land Conservation and Development;**

25 **“(j) The Oregon Department of Administrative Services; and**

26 **“(k) Any other agency designated by the Oregon Global Warming Commission.**

27 **“(3) After identifying programs and activities as required by subsection (2) of this sec-**  
28 **tion, each agency shall prepare a report that sets forth recommendations for changes to the**  
29 **identified programs and activities that could help the State of Oregon achieve the greenhouse**  
30 **gas emissions reduction goals specified in ORS 468A.205. The report shall identify the cost**  
31 **to the agency of implementing the recommendations.**

32 **“(4) In making recommendations under subsection (3) of this section, each agency shall**  
33 **identify the costs and benefits to the economy of Oregon of implementing the recommen-**  
34 **dations.**

35 **“(5) Each agency shall update the report required by subsection (3) of this section every**

1 two years and provide a copy of the updated report to the commission on or before October  
2 1 of each even-numbered year. Agencies shall submit the updated reports to the Legislative  
3 Assembly on or before October 1 of each even-numbered year in the manner provided by ORS  
4 192.245.

5 “SECTION 1a. Each agency shall submit the report required under ORS 468A.235 (3) by  
6 October 1, 2008.

7 “SECTION 2. Section 3 of this 2008 Act is added to and made a part of ORS chapter 468A.

8 “SECTION 3. (1) In addition to any registration and reporting that may be required under  
9 ORS 468A.050, the Environmental Quality Commission by rule may require registration and  
10 reporting by:

11 “(a) Any person who imports, sells or distributes for use in this state electricity, the  
12 generation of which emits greenhouse gases; or

13 “(b) Any person who imports, sells or distributes for use in this state fossil fuel that  
14 generates greenhouse gases when combusted.

15 “(2) Rules adopted by the commission under this section for electricity that is imported,  
16 sold or distributed for use in this state may require reporting of information necessary to  
17 determine greenhouse gas emissions from generating facilities and transmission equipment  
18 that is used to produce and transmit the electricity.

19 “(3)(a) The commission shall allow consumer-owned utilities, as defined in ORS 757.270,  
20 to comply with reporting requirements imposed under this section by the submission of a  
21 report prepared by a third party. A report submitted under this paragraph may include in-  
22 formation for more than one consumer-owned utility, but must include all information re-  
23 quired by the commission for each individual utility.

24 “(b) For the purpose of determining greenhouse gas emissions related to electricity pur-  
25 chased from the Bonneville Power Administration by a consumer-owned utility, as defined  
26 in ORS 757.270, the commission may require only that the utility report:

27 “(A) The number of megawatt hours of electricity purchased by the utility from the  
28 Bonneville Power Administration, segregated by the types of contracts entered into by the  
29 utility with the Bonneville Power Administration; and

30 “(B) The percentage of each fuel or energy type used to produce electricity purchased  
31 under each type of contract.

32 “(4) Rules adopted by the commission under this section for fossil fuel that is imported,  
33 sold or distributed for use in this state may require reporting of the type and quantity of the  
34 fuel and any additional information necessary to determine the carbon content of the fuel.  
35 For the purpose of determining greenhouse gas emissions related to liquefied petroleum gas,  
36 the commission shall allow reporting using publications or submission of data by the Amer-  
37 ican Petroleum Institute but may require reporting of such other information necessary to  
38 achieve the purposes of the rules adopted by the commission under this section.

39 “(5) To the extent it is consistent with the purposes of the rules adopted by the com-  
40 mission under this section, the commission shall minimize the burden of the reporting re-  
41 quired under this section by:

42 “(a) Allowing concurrent reporting of information that is also reported to another state  
43 agency;

44 “(b) Allowing electronic reporting;

45 “(c) Allowing use of good engineering practice calculations in reports, or of emission

1 factors published by the United States Environmental Protection Agency;

2 “(d) Establishing thresholds for the amount of specific greenhouse gases that may be  
3 emitted or generated without reporting;

4 “(e) Requiring reporting by the fewest number of persons in a fuel distribution system  
5 that will allow the commission to acquire the information needed by the commission; or

6 “(f) Other appropriate means and procedures determined by the commission.

7 “(6) For purposes of this section, ‘greenhouse gas’ has the meaning given that term in  
8 ORS 468A.210.

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

10 “468A.215. (1) There is created the Oregon Global Warming Commission. The commission shall  
11 consist of [25] **30** members, including [11] **13** voting members appointed by the Governor under this  
12 section and [14] **17** ex officio nonvoting members specified in ORS 468A.220.

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

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

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

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

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

22 “(e) One member shall have significant experience in agriculture; [and]

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

24 “(g) **One member shall represent the interests of labor; and**

25 “(h) **One member shall represent the interests of consumer-owned utilities.**

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

28 “(4) The term of office of a member appointed under this section is four years. Before the expi-  
29 ration of the term of a member, the Governor shall appoint a successor whose term begins on Jan-  
30 uary 31 next following. A member appointed under this section is eligible for reappointment. In case  
31 of vacancy for any cause, the Governor shall make an appointment to become immediately effective  
32 for the unexpired term.

33 “(5) The members of the commission appointed under this section must be residents of this state.  
34 Failure of a member to maintain compliance with the eligibility requirements related to the mem-  
35 ber’s appointment shall result in disqualification from serving on the commission.

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

38 “**SECTION 5.** ORS 468A.220 is amended to read:

39 “468A.220. (1) In addition to the members appointed under ORS 468A.215, the Oregon Global  
40 Warming Commission shall include the following ex officio **nonvoting** members:

41 “(a) The Director of the State Department of Energy;

42 “(b) The Director of Transportation;

43 “(c) The chairperson of the Public Utility Commission of Oregon;

44 “(d) The Director of the Department of Environmental Quality;

45 “(e) The Director of Agriculture;

1       “(f) The State Forester;  
2       “(g) The Water Resources Director; and  
3       “(h) [*Three*] **Six** additional ex officio nonvoting members, each from a state agency or an aca-  
4       demic institution.  
5       “(2) The following representatives of the Legislative Assembly also shall serve as ex officio  
6       nonvoting members:  
7       “(a) Two members of the Senate, not from the same political party, appointed by the President  
8       of the Senate; and  
9       “(b) Two members of the House of Representatives, not from the same political party, appointed  
10      by the Speaker of the House of Representatives.  
11      “(3) Each legislative member serves at the pleasure of the appointing authority and may serve  
12      [so] **as** long as the member remains in the chamber of the Legislative Assembly from which the  
13      member was appointed.  
14      “**SECTION 6.** ORS 468A.225 is amended to read:  
15      “468A.225. (1) A majority of the **voting** members of the Oregon Global Warming Commission  
16      constitutes a quorum for the transaction of business.  
17      “(2) The commission shall meet at times and places specified by a majority of the **voting** mem-  
18      bers of the commission.  
19      “(3) The State Department of Energy shall provide clerical, technical and management personnel  
20      to serve the commission. Other agencies shall provide support as requested by the department or  
21      the commission.  
22      “**SECTION 7. This 2008 Act being necessary for the immediate preservation of the public**  
23      **peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect**  
24      **on its passage.”**  
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