

Enrolled
House Bill 3571

Sponsored by Representative CLEM; Representatives BAILEY, BOONE, CONGER, GARRARD, GILLIAM, HUFFMAN, JENSON, JOHNSON, KRIEGER, J SMITH, THOMPSON, WHISNANT, Senators BOQUIST, EDWARDS, GEORGE, GIROD, JOHNSON, KRUSE, NELSON, OLSEN, TELFER, THOMSEN, VERGER

CHAPTER

AN ACT

Relating to ownership of renewable energy certificates; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS 758.505 to 758.555.

SECTION 2. (1) For contracts executed pursuant to the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.) and in effect prior to November 30, 2005, renewable energy certificates created pursuant to a system established by the State Department of Energy under ORS 469A.130, for generation during the term of such a contract, are owned by the owner of a qualifying facility, unless the owner has transferred a certificate in a contract between the owner and another person.

(2) Subsection (1) of this section applies to qualifying facilities that:

(a) Are located in this state;

(b) Are certified as qualifying small power production facilities or qualifying cogeneration facilities under the Federal Power Act (16 U.S.C. 796) as in effect on the effective date of this 2011 Act; and

(c) Produce electricity that is priced under ORS 758.525.

SECTION 3. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House April 29, 2011

.....
Ramona Kenady Line, Chief Clerk of House

.....
Bruce Hanna, Speaker of House

.....
Arnie Roblan, Speaker of House

Passed by Senate May 23, 2011

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

.....
Kate Brown, Secretary of State