

# Enrolled House Bill 2004

Sponsored by Representatives KOTEK, MCLANE; Representatives GREENLICK, WEIDNER

CHAPTER .....

## AN ACT

Relating to low-income electric bill payment assistance; creating new provisions; amending sections 3 and 4, chapter 566, Oregon Laws 2011; and declaring an emergency.

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

**SECTION 1.** Section 3, chapter 566, Oregon Laws 2011, is amended to read:

**Sec. 3.** *[(1)]* Notwithstanding the \$15 million limitation *[expressed]* **described** in ORS 757.612 (7)(b), the Public Utility Commission shall direct electric companies or Oregon Community Power to collect a combined total of an additional \$5 million per 12-month period from residential electricity consumers for the low-income electric bill payment assistance provided for in ORS 757.612 (7)(a) if the Housing and Community Services Department requests an increase. *[due to finding, in consultation with the advisory committee on energy, that two or more of the following events have occurred:]*

*[(a) The unemployment rate in Oregon as determined by the Bureau of Labor Statistics of the United States Department of Labor has exceeded 10 percent for at least six months of the previous 12-month period.]*

*[(b) The poverty rate in Oregon as determined by the United States Census Bureau has exceeded 12 percent during the previous 12-month period.]*

*[(c) The moneys allocated for the year under the federal Low Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) are 75 percent or less of the previous year's allocation.]*

*[(d) The number of households in Oregon receiving supplemental nutrition assistance has exceeded 20 percent during the previous 12-month period.]*

*[(2) The additional moneys collected pursuant to this section may not be collected for more than:]*

*[(a) Twelve months from the date that the Public Utility Commission directs the electric companies or Oregon Community Power to make the collection, without an additional finding by the Housing and Community Services Department, not less than nine months after its initial finding under subsection (1) of this section, that two or more of the events specified in subsection (1) of this section have occurred; or]*

*[(b) A total of 24 months.]*

**SECTION 2.** Section 4, chapter 566, Oregon Laws 2011, is amended to read:

**Sec. 4.** Section 3, **chapter 566, Oregon Laws 2011**, *[of this 2011 Act]* is repealed on January 2, *[2014]* **2016**.

**SECTION 3.** (1) **The Director of the Housing and Community Services Department shall appoint an advisory committee on low-income electric bill payment assistance funding. Members of the committee must include:**

(a) A representative from each electric company whose ratepayers contribute funding to the Housing and Community Services Department Low-Income Electric Bill Payment Assistance Fund established in ORS 456.587;

(b) A representative of the Citizens' Utility Board established under ORS chapter 774; and

(c) A representative of Community Action Partnership of Oregon, as defined in ORS 456.515.

(2) The committee shall study the duties, functions and powers of the Housing and Community Services Department under ORS 757.612 (7) for the purpose of determining to which agency or entity those duties, functions and powers should be transferred during the 2014 regular session of the Seventy-seventh Legislative Assembly. In making the determination, the committee shall consider:

(a) How best to minimize costs associated with the administration of ORS 757.612 (7);

(b) How to provide better service to low-income retail electricity consumers; and

(c) The circumstances under which funds for low-income electric bill payment assistance under ORS 757.612 (7) should be collected.

(3) The committee shall report the results of the study under subsection (2) of this section, and shall make recommendations for proposed legislation, to the appropriate interim committees of the Legislative Assembly, as determined by the committee, no later than December 1, 2013.

(4) Official action by the committee requires the approval of a majority of the members of the committee.

(5) The committee shall elect one of its members to serve as chairperson.

(6) The committee shall meet at times and places specified by the call of the chairperson or of a majority of the members of the committee.

(7) If there is a vacancy for any cause, the Director of the Housing and Community Services Department shall make an appointment to become immediately effective.

(8) All agencies of state government, as defined in ORS 174.111, are directed to assist the committee in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the committee consider necessary to perform their duties.

**SECTION 4.** Section 3 of this 2013 Act is repealed on the date of the convening of the 2014 regular session of the Legislative Assembly as specified in ORS 171.010.

**SECTION 5.** This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

**Passed by House April 15, 2013**

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate May 22, 2013**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2013

**Approved:**

.....M,....., 2013

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2013

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Kate Brown, Secretary of State