

**PROPOSED MINORITY REPORT AMENDMENTS TO
A-ENGROSSED SENATE BILL 324**

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

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

6 **“VEHICLE FUEL BLENDING**

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

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

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

15 **“(3) The conversion of vehicles that use gasoline or diesel to alter-
16 native fuel vehicles;**

17 **“(4) The development of electric vehicle charging stations and na-
18 tural gas fueling stations; and**

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

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

22 **“646.912. (1) The State Department of Agriculture shall study and monitor**

1 ethanol fuel production, use and sales in this state.

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

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

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

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

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

14 **“(3) The annual standard adopted under subsection (2) of this sec-**
15 **tion shall ensure compliance with the standards adopted under ORS**
16 **646.913 and shall, to the extent feasible, prioritize the use of commer-**
17 **cially available ethanol:**

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

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

22 ~~“(3) (4) The notice under subsection (2) of this section shall inform retail~~
23 ~~dealers, nonretail dealers and wholesale dealers that:~~

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

29 ~~“(b) [*Three months*]~~ **Beginning on January 1 of the year** after the date
30 of the notice, a retail dealer, nonretail dealer or wholesale dealer may sell

1 or offer for sale only gasoline described in ORS 646.913.

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

3 “646.913. (1) Except as provided in subsection [(5)] **(4)** of this section, a
4 retail dealer, nonretail dealer or wholesale dealer may not sell or offer for
5 sale gasoline unless the gasoline contains [10 percent ethanol by volume] **the**
6 **quality and percentage of ethanol by volume required by the Depart-**
7 **ment of Agriculture pursuant to the department’s annually adopted**
8 **standard under ORS 646.912.**

9 “[2) *Gasoline containing ethanol that is sold or offered for sale meets the*
10 *requirements of this section if the gasoline, exclusive of denaturants and per-*
11 *mitted contaminants, contains not less than 9.2 percent by volume of agricul-*
12 *turally derived, denatured ethanol that complies with the standards for ethanol*
13 *adopted by the State Department of Agriculture.*]

14 “[3)] **(2)** The department shall adopt standards for ethanol blended with
15 gasoline sold in this state. The standards adopted shall require that the
16 gasoline blended with ethanol:

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

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

21 “(c) Complies with the volatility requirements specified in 40 C.F.R. part
22 80;

23 “(d) Complies with or is produced from a gasoline base stock that com-
24 plies with ASTM International specification D 4814;

25 “(e) Is not blended with casinghead gasoline, absorption gasoline, drip
26 gasoline or natural gasoline after the gasoline has been sold, transferred or
27 otherwise removed from a refinery or terminal; and

28 “(f) Contains ethanol that complies with ASTM International specifica-
29 tion D 4806.

30 “[4)] **(3)** The department may review specifications adopted by ASTM

1 International, or equivalent organizations, and federal regulations and revise
2 the standards adopted pursuant to this section as necessary.

3 “[5] (4) A retail dealer, nonretail dealer or wholesale dealer may sell
4 or offer for sale gasoline that is not blended with ethanol if the gasoline has
5 an octane rating, as defined in ORS 646.945, of 91 or above or if the gasoline
6 is for use in:

7 “(a) An aircraft:

8 “(A) With a supplemental type certificate approved by the Federal Avi-
9 ation Administration that allows the aircraft to use gasoline that is intended
10 for use in motor vehicles; or

11 “(B) Issued a type certificate by an aircraft engine manufacturer that al-
12 lows the aircraft to use gasoline that is intended for use in motor vehicles;

13 “(b) An aircraft that has been issued an experimental certificate, de-
14 scribed in 14 C.F.R. 21.191, by the Federal Aviation Administration and that
15 is required by the manufacturer’s specifications to use gasoline that is in-
16 tended for use in motor vehicles;

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

20 “(d) A vintage aircraft, as defined by the Oregon Department of Aviation
21 by rule, that is required by the manufacturer’s specifications to use gasoline
22 that is intended for use in motor vehicles;

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

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

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

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

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

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

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

1 “(L) A watercraft.

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

3 “646.921. (1) The State Department of Agriculture shall study and monitor
4 biodiesel fuel production, use and sales and certificates of analysis in this
5 state.

6 *“(2) When the capacity of biodiesel production facilities in Oregon reaches
7 a level of at least 15 million gallons on an annualized basis, the department
8 shall notify all retail dealers, nonretail dealers and wholesale dealers in this
9 state that the capacity of biodiesel production facilities in Oregon has reached
10 a level of at least 15 million gallons on an annualized basis and that a retail
11 dealer, nonretail dealer or wholesale dealer may sell or offer for sale diesel
12 fuel only as described in ORS 646.922 (2) after the date that is two months
13 after the date of the notice given by the department under this subsection.]*

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

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

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

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

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

24 **“(B) That beginning on January 1 of the year following the date of
25 the notice, a retail dealer, nonretail dealer or wholesale dealer may
26 sell or offer for sale diesel fuel only as described in ORS 646.922.**

27 **“(3) The annual standard adopted under subsection (2) of this sec-
28 tion shall ensure compliance with the standards adopted under ORS
29 646.922 and shall, to the extent feasible, prioritize the use of commer-
30 cially available biodiesel and other renewable diesels:**

1 “(a) With the lowest greenhouse gas emissions attributable to the
2 fuels throughout their lifecycles; and

3 “(b) At a level that maximizes the use of biodiesel and other
4 renewable diesels commercially available in this state for the calendar
5 year.

6 “[(3)] (4) All retail dealers, nonretail dealers and wholesale dealers in
7 Oregon are required to provide, upon the request of the department, a cer-
8 tificate of analysis for biodiesel received.

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

10 “646.922. (1) A retail dealer, nonretail dealer or wholesale dealer may not
11 sell or offer for sale diesel fuel unless the diesel fuel contains [*at least two*
12 *percent biodiesel by volume or other renewable diesel with at least two percent*
13 *renewable component by volume*] **the quality and percentage of biodiesel**
14 **or other renewable diesel by volume required by the Department of**
15 **Agriculture pursuant to the department’s annually adopted standard**
16 **under ORS 646.921.**

17 “[(2)] *Two months after the date of the notice given under ORS 646.921 (2),*
18 *a retail dealer, nonretail dealer or wholesale dealer may not sell or offer for*
19 *sale diesel fuel unless the diesel fuel contains at least five percent biodiesel*
20 *by volume or other renewable diesel with at least five percent renewable com-*
21 *ponent by volume. Diesel fuel that contains more than five percent biodiesel*
22 *by volume or other renewable diesel with more than five percent renewable*
23 *component by volume must be labeled as the State Department of Agriculture*
24 *provides by rule.*]

25 “[(3)] (2) A retail dealer, nonretail dealer or wholesale dealer may sell
26 or offer for sale diesel fuel that otherwise meets the requirements of [*sub-*
27 *sections (1) and (2)*] **subsection (1)** of this section and rules adopted pursuant
28 to ORS 646.957 but to which there have been added substances to prevent
29 congealing or gelling of diesel fuel containing biodiesel or other renewable
30 diesel, without violating the requirements of [*subsections (1) and (2)*] **sub-**

1 **section (1)** of this section and rules adopted pursuant to ORS 646.957. This
2 subsection applies only to diesel fuel sold or offered for sale during the pe-
3 riod from October 1 of any year to February 28 of the following year.

4 “[4] **(3)** The department shall adopt standards, **including labeling**
5 **standards**, for biodiesel or other renewable diesel sold in this state. The
6 department shall consult the specifications established for biodiesel or other
7 renewable diesel by ASTM International in forming the department’s stan-
8 dards. The department may review specifications adopted by ASTM Interna-
9 tional, or equivalent organizations, and revise the standards adopted
10 pursuant to this subsection as necessary.

11 “[5] **(4)** The minimum biodiesel fuel content and renewable component
12 in other renewable diesel requirements under [subsections (1) and (2)] **sub-**
13 **section (1)** of this section do not apply to diesel fuel sold or offered for sale
14 for use by:

15 “**(a)** Railroad locomotives[,];

16 “**(b)** Marine engines;

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

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

22

23 “**REDEDICATION OF CERTAIN PUBLIC PURPOSE CHARGE FUNDS**

24

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

26 “757.612. (1) There is established an annual public purpose expenditure
27 standard for electric companies and Oregon Community Power to fund new
28 cost-effective local energy conservation, new market transformation efforts,
29 the above-market costs of new renewable energy resources and new low-
30 income weatherization. The public purpose expenditure standard shall be

1 funded by the public purpose charge described in subsection (2) of this sec-
2 tion.

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

15 “(b) For an aluminum plant that averages more than 100 average mega-
16 watts of electricity use per year, *[beginning on March 1, 2002,]* the electric
17 company or Oregon Community Power *[whose]*, **whichever’s** territory abuts
18 the greatest percentage of the site of the aluminum plant, shall collect from
19 the aluminum company a public purpose charge equal to one percent of the
20 total revenue from the sale of electricity *[services]* to the aluminum plant
21 *[from any source]*.

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

25 “(b) *[Subject to paragraph (e)]* **Except as provided in paragraph (d)(B)**
26 of this subsection, funds collected *[by an electric company or Oregon Com-*
27 *munity Power]* through public purpose charges **under subsection (2) of this**
28 **section** shall be allocated as follows:

29 “(A) **Subject to paragraph (d)(B) of this subsection**, sixty-three per-
30 cent for new cost-effective **local energy** conservation[,] **and** new market

1 transformation **efforts**.

2 “(B) **Subject to paragraph (d)(B) of this subsection**, nineteen percent
3 for the above-market costs of constructing and operating new renewable en-
4 ergy [*resources*] **resource projects** with a nominal electric generating ca-
5 pacity, as defined in ORS 469.300, of 20 megawatts or less.

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

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

11 “(c) The costs of administering subsections (1) to (6) of this section for
12 an electric company or Oregon Community Power shall be paid out of the
13 funds collected through public purpose charges. The commission may require
14 [*that*] an electric company or Oregon Community Power **to** direct funds col-
15 lected through public purpose charges to [*the*] state agencies responsible for
16 implementing subsections (1) to (6) of this section in order to pay the costs
17 of [*administering such responsibilities*] **implementation**.

18 “(d)(A) The commission shall direct the manner in which public purpose
19 charges are collected and spent by an electric company or Oregon Commu-
20 nity Power and may require an electric company or Oregon Community
21 Power to expend funds through competitive bids or other means designed to
22 encourage competition, except that funds dedicated for **new** low-income
23 weatherization shall be directed to the Housing and Community Services
24 Department as provided in subsection (7) of this section.

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

29 “(i) To a nongovernmental entity for investment in public purposes de-
30 scribed in subsection (1) of this section[.]; **and**

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

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

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

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

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

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

27 “(B) A school district that receives funds under this paragraph shall use
28 the funds first to pay for energy audits for schools located within the school
29 district. A school district may not expend additional funds received under
30 this paragraph on a school [*facility*] until an energy audit has been completed

1 for that school [*facility*]. To the extent practicable, a school district shall
2 coordinate with the State Department of Energy and incorporate federal
3 funding in complying with this paragraph. Following completion of an en-
4 ergy audit for an individual school, the school district may expend funds
5 received under this paragraph to implement the energy audit. Once an energy
6 audit has been conducted and completely implemented for each school within
7 the school district, the school district may expend funds received under this
8 paragraph for any of the following purposes:

9 “(i) Conducting **additional** energy audits. A school district shall conduct
10 an energy audit prior to expending funds on any other purpose authorized
11 under this paragraph unless the school district has performed an energy au-
12 dit within the three years immediately prior to receiving the funds.

13 “(ii) [*Weatherization*] **Weatherizing school district facilities** and up-
14 grading the energy efficiency of school district facilities.

15 “(iii) Energy conservation education programs.

16 “(iv) Purchasing electricity from [*environmentally focused*] sources **that**
17 **protect the environment.** [*and*]

18 “(v) Investing in renewable energy resources.

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

21 “(g) If the commission [*directs*] **requires** funds collected through public
22 purpose charges to **be paid to** a nongovernmental entity, the entity shall,
23 **pursuant to an agreement entered into or renewed between the com-**
24 **mission and the entity:**

25 “(A) Include on the entity’s board of directors an ex officio member des-
26 ignated by the commission, who shall also serve on the entity’s nominating
27 committee for filling board vacancies.

28 “(B) Require the entity’s officers and directors to provide an annual dis-
29 closure of economic interest to be filed with the commission on or prior to
30 April 15 of each calendar year for public review in a form similar to the

1 statement of economic interest required for public officials under ORS
2 244.060.

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

10 “(D) **Annually**, arrange for an independent auditor to audit the entity’s
11 financial statements [*annually*], and direct the auditor to file an audit opin-
12 ion with the commission for public review.

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

15 “(F) At least once every five years, contract for an independent manage-
16 ment evaluation to review the entity’s operations, efficiency and effective-
17 ness, and direct the independent reviewer to file a report with the
18 commission for public review.

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

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

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

1 program; and

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

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

6 “(A) [*Shall have*] **Has** no [*other*] **further** obligation to invest in **new**
7 **cost-effective local energy** conservation, new market transformation or
8 new low-income weatherization or to provide a commercial energy conserva-
9 tion services program; and

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

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

22 “(A) The amount of the retail electricity consumer’s qualifying expendi-
23 tures; or

24 “(B) The portion of the public purpose charge billed to the retail elec-
25 tricity consumer that is dedicated to new **cost-effective local** energy con-
26 servation, new market transformation or the above-market costs of new
27 renewable energy resources.

28 “(b) To obtain a credit under this subsection, a retail electricity consumer
29 shall file with the State Department of Energy a description of the proposed
30 conservation project or new renewable energy resource and a declaration

1 that the retail electricity consumer plans to incur the qualifying expenditure.
2 The State Department of Energy shall issue a notice of precertification
3 within 30 days of receipt of the filing, if such filing is consistent with this
4 subsection. The credit may be taken after a retail electricity consumer pro-
5 vides a letter from a certified public accountant to the State Department of
6 Energy verifying that the precertified qualifying expenditure has been made.

7 “(c) Credits earned by a retail electricity consumer as a result of quali-
8 fying expenditures that are not used in one year may be carried forward for
9 use in subsequent years.

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

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

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

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

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

12 “(b) The commission shall establish the amount to be collected by each
13 electric company in calendar year 2008 from retail electricity consumers
14 served by the company, and the rates to be charged to retail electricity
15 consumers served by the company, so that the total anticipated collection for
16 low-income electric bill payment assistance by all electric companies in **the**
17 calendar year 2008 is \$15 million. In **the** calendar year 2009 and subsequent
18 calendar years, the commission may not change the rates established for re-
19 tail electricity consumers, but the total amount collected in a calendar year
20 for low-income electric bill payment assistance may vary based on electricity
21 usage by retail electricity consumers and changes in the number of retail
22 electricity consumers in this state. In no event shall a retail electricity
23 consumer be required to pay more than \$500 per month per site for low-
24 income electric bill payment assistance.

25 “(c) Funds collected [by] **through** the low-income electric bill payment
26 assistance charge shall be paid into the Housing and Community Services
27 Department Low-Income Electric Bill Payment Assistance Fund established
28 by ORS 456.587 (2). Moneys deposited in the **Housing and Community**
29 **Services Department Low-Income Electric Bill Payment Assistance**
30 Fund under this paragraph shall be used by the Housing and Community

1 Services Department **solely** for *[the purpose of funding]* **purposes related**
2 **to** low-income electric bill payment assistance[.] **and for the Housing and**
3 **Community Services** Department’s cost of administering this subsection.
4 *[shall be paid out of funds collected by the low-income electric bill payment*
5 *assistance charge. Moneys deposited in the fund under this paragraph shall*
6 *be expended solely for low-income electric bill payment assistance.]* Funds
7 collected *[from]* **by** an electric company or Oregon Community Power **under**
8 **this subsection** shall be expended in the service area of the electric com-
9 pany or Oregon Community Power from which the funds are collected.

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

15 “(B) The **Housing and Community Services** Department, **in consulta-**
16 **tion with electric companies**, shall investigate and may implement alter-
17 native delivery models specified by the advisory committee on energy[, *in*
18 *consultation with electric companies,*] to effectively reduce service discon-
19 nections and related costs to retail electricity consumers and electric utili-
20 ties.

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

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

1 **Community Services** Department with aggregate data relating to consum-
2 ers served on a quarterly basis to support program development.

3 “(e) Interest on moneys deposited in the Housing and Community Services
4 Department Low-Income Electric Bill Payment Assistance Fund established
5 by ORS 456.587 (2) may be used to provide bill payment [*and crisis*] assist-
6 ance to electricity consumers whose primary source of heat is not electricity.

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

12 “(8) For purposes of this section, ‘retail electricity consumers’ includes
13 any direct service industrial consumer that purchases electricity without
14 purchasing distribution services from the electric utility.

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

18 **“SECTION 7. (1) The Higher Education Coordinating Commission**
19 **shall develop, maintain and manage a consortium created for the**
20 **purpose of promoting and advancing research and development of**
21 **carbon reduction technologies related to transportation fuels.**

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

24 **“(a) The University of Oregon.**

25 **“(b) Portland State University.**

26 **“(c) Oregon State University.**

27 **“(3) Members of the consortium shall:**

28 **“(a) Establish a grant program and select qualified applicants to**
29 **receive grants from funds available in the Carbon Reduction Technol-**
30 **ogy Research and Development Fund established under section 8 of**

1 **this 2015 Act;**

2 **“(b) Make grants for the purpose of facilitating research and de-**
3 **velopment of carbon reduction technologies related to transportation**
4 **fuels; and**

5 **“(c) Facilitate programs at the member universities for research**
6 **and development of carbon reduction technologies related to trans-**
7 **portation fuels.**

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

9 **“SECTION 8. (1) The Carbon Reduction Technology Research and**
10 **Development Fund is established in the State Treasury, separate and**
11 **distinct from the General Fund. Interest earned by the Carbon Re-**
12 **duction Technology Research and Development Fund shall be credited**
13 **to the fund. The purpose of the fund is to facilitate the research and**
14 **development of carbon reduction technology related to transportation**
15 **fuels.**

16 **“(2) Moneys in the Carbon Reduction Technology Research and De-**
17 **velopment Fund are continuously appropriated to the Higher Educa-**
18 **tion Coordinating Commission for use by the consortium established**
19 **under section 7 of this 2015 Act.**

20 **“SECTION 9. The amendments to ORS 757.612 by section 6 of this**
21 **2015 Act apply to revenues collected by electric companies, Oregon**
22 **Community Power and electricity service suppliers on and after the**
23 **effective date of this 2015 Act.**

24

25 **“CAPTIONS**

26

27 **“SECTION 10. The unit captions used in this 2015 Act are provided**
28 **only for the convenience of the reader and do not become part of the**
29 **statutory law of this state or express any legislative intent in the**
30 **enactment of this 2015 Act.”.**

