

Requested by JOINT COMMITTEE ON CARBON REDUCTION

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2020**

1 On page 1 of the printed A-engrossed bill, line 5, after “2009” insert “, and
2 sections 75 and 76, chapter 750, Oregon Laws 2017”.

3 On page 21, line 8, delete “compliance obligations” and insert “the com-
4 pliance obligation”.

5 On page 22, line 40, after “receive” insert a comma.

6 In line 41, after “cost” insert a comma.

7 On page 23, line 18, before “utility” insert “natural gas”.

8 On page 30, after line 39, insert:

9 “(E) May not authorize the generation or issuance of offset credits for
10 greenhouse gas emissions reductions or removals that occur during the pe-
11 riod beginning on January 1, 2021 and ending on December 31, 2026, as the
12 result of offset projects on state forestlands, unless as of the effective date
13 of this 2019 Act the state forestlands are:

14 “(i) Trust lands as defined in ORS 273.462;

15 “(ii) Lands in the Elliott State Forest as described in ORS 530.450;

16 “(iii) Common School Forest Lands as described in ORS 530.460; or

17 “(iv) Any other lands placed under the jurisdiction of the State Land
18 Board consistent with Article VIII, section 5, Oregon Constitution.”.

19 On page 51, after line 30, insert:

20 “(m) Reduce greenhouse gas emissions related to agriculture, with a pri-
21 ority given to the replacement, repowering or retrofitting of nonroad equip-

1 ment to reduce emissions that present serious risks to farmworker health.”.

2 On page 93, after line 14, insert:

3 **“SECTION 123a. If section 34 of this 2019 Act is judicially declared**
4 **by the Oregon Supreme Court to not impose a tax subject to the pro-**
5 **visions of Article IX, section 3a, of the Oregon Constitution, then the**
6 **Climate Policy Office shall, as part of the next biennial climate action**
7 **investment plan due pursuant to section 57 of this 2019 Act after the**
8 **date of the judicial declaration:**

9 **“(1) Identify specific opportunities for using state proceeds from**
10 **auctions conducted under section 34 of this 2019 Act each biennium to**
11 **reduce greenhouse gas emissions associated with transportation**
12 **through investments in transportation electrification, compressed na-**
13 **tural gas and hydrogen fuel vehicles and infrastructure, and low-**
14 **emission and zero-emission transit;**

15 **“(2) Identify specific opportunities for using state proceeds from**
16 **auctions conducted under section 34 of this 2019 Act each biennium to**
17 **reduce greenhouse gas emissions through the replacement of**
18 **medium-duty trucks and heavy-duty trucks powered by diesel engines**
19 **or the repower or retrofit of diesel engines that power medium-duty**
20 **trucks and heavy-duty trucks;**

21 **“(3) Identify specific opportunities for using state proceeds from**
22 **auctions conducted under section 34 of this 2019 Act each biennium to**
23 **reduce greenhouse gas emissions related to agriculture, with a priority**
24 **given to the replacement, repowering or retrofitting of nonroad**
25 **equipment to reduce emissions that present serious risks to**
26 **farmworker health; and**

27 **“(4) Make recommendations, including recommendations for legis-**
28 **lation, for modifying the distributions of state proceeds from auctions**
29 **as provided for in sections 34, 35, 41 to 45 and 46 of this 2019 Act, and**
30 **the repeal or amendment of any other statutes or session laws, as**

1 **necessary to:**

2 **“(a) Address the judicial declaration by the Oregon Supreme Court**
3 **that section 34 of this 2019 Act does not impose a tax that is subject**
4 **to the provisions of Article IX, section 3a, of the Oregon Constitution;**
5 **and**

6 **“(b) Implement the opportunities identified pursuant to subsections**
7 **(1) to (3) of this section.**

8 **“SECTION 123b. Section 123a of this 2019 Act becomes operative on**
9 **January 2 of the year following the date that section 34 of this 2019**
10 **Act is judicially declared by the Oregon Supreme Court to not impose**
11 **a tax that is subject to the provisions of Article IX, section 3a, of the**
12 **Oregon Constitution.**

13 **“SECTION 123c. Sections 123a and 123b of this 2019 Act are repealed**
14 **on the earlier of:**

15 **“(1) The date that section 34 of this 2019 Act is judicially declared**
16 **by the Oregon Supreme Court to impose a tax that is subject to the**
17 **provisions of Article IX, section 3a, of the Oregon Constitution; or**

18 **“(2) January 2, 2027.”.**

19 On page 95, after line 9, insert:

20 **“SECTION 128a. Section 75, chapter 750, Oregon Laws 2017, is amended**
21 **to read:**

22 **“Sec. 75. (1) The Oregon Transportation Commission shall conduct a**
23 **biennial study. The purpose of the study is to determine:**

24 **“(a) The proportionate share that users of vehicles that are powered by**
25 **different means should pay for the costs of maintenance, operation and im-**
26 **provement of the highways in this state; and**

27 **“(b) Whether users of vehicles that are powered by different means are**
28 **paying that share.**

29 **“(2) If the commission determines that users are not paying a propor-**
30 **tionate share, then the commission may include in the report recommen-**

1 dations for legislation.

2 “(3) This section applies to users paying the vehicle registration fee under
3 ORS 803.420 (6)(a).

4 “(4) The commission shall report the results of the study to **the Road**
5 **User Fee Task Force established under ORS 184.843**, the Joint Committee
6 on Transportation established under [*section 26 of this 2017 Act*] **ORS 171.858**
7 **and the Joint Committee on Climate Action established under section**
8 **2 of this 2019 Act**, in the manner provided by ORS 192.245, no later than
9 September 15, [2023] **of each odd-numbered year, beginning in 2021.**

10 **“SECTION 128b.** Section 76, chapter 750, Oregon Laws 2017, is amended
11 to read:

12 **“Sec. 76.** Section 75, chapter 750, Oregon Laws 2017, [*of this 2017 Act*]
13 is repealed on January 2, [2024] **2030.**”.

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