OREGON 2009 LEGISLATIVE SESSION
3/18/09

Public purpose charge

SB 832 – applies to "each entity denominated by statute as a semi-independent state agency, an independent not-for-profit public corporation or an independent public corporation, and each nongovernmental entity that receives moneys from the state to provide services described by law or under a contract." These entities "shall provide to the Legislative Assembly, upon request, information about the budget of the agency, corporation or entity, the receipts and expenditures of the agency, corporation or entity or other financial records of the agency, corporation or entity. http://www.leg.state.or.us/09reg/measures/sb0800.dir/sb0832.intro.html. Referred to Finance and Revenue.

SB 476 – redirects the 63% Energy Trust portion of the public purpose charge. This percentage would go to ODOE for distribution to school districts (75%), cities (15%) and counties (10%) for energy conservation. The 19% that Energy Trust now uses for renewables would still be governed by SB 1149, but for expanded use: energy conservation, market transformation and renewable energy. The low-income and HCD percentage allocations would not change. http://www.leg.state.or.us/09reg/measpdf/sb0400.dir/sb0476.intro.pdf. Referred to Environment and Natural Resources.

HB 2647 -- Changes the 2026 sunset date for the public purpose charge (current law) to 2012. Referred to Sustainability and Economic Development, then to Revenue. http://www.leg.state.or.us/09reg/measures/hb2600.dir/hb2647.intro.html.

SB 597 – Subjects records related to funds collected through public purpose charges and paid to nongovernmental entity to audit by Secretary of State. Requires members of governing body of nongovernmental entities to file statements of economic interest with Oregon Government Ethics Commission, including:

(a) The names of all positions as officer of a business and business directorships held by the person or a member of the household of the person during the preceding calendar year, and the principal address and a brief description of each business.
(b) All names under which the person and members of the household of the person do business and the principal address and a brief description of each business.
(c) The names, principal addresses and brief descriptions of the five most significant sources of income received at any time during the preceding calendar year by the person and by each member of the household of the person, a description of the type of income and the name of the person receiving the income.
(d) The name of each member of the household of the person who is 18 years or older.
(e) The name of each relative of the person who is 18 years of age or older and not a member of the household of the person.

Referred to Rules Committee, first hearing held March 13.
http://www.leg.state.or.us/09reg/measpdf/sb0500.dir/sb0597.intro.pdf

Energy efficiency ratings and codes:

SB 79 - Directs Department of Energy to: (1) adopt energy efficiency rating system for residential and nonresidential buildings by specified dates; and (2) convene advisory group to assist in establishing energy performance scores. Directs Director of Department of Consumer and Business Services to take certain actions to achieve increases in building energy efficiency, including to ensure an increase in nonresidential building energy efficiency of 30 percent by January 1, 2012, and adopt aspirational energy efficiency building code.
http://www.leg.state.or.us/09reg/measures/sb0001.dir/sb0079.intro.html. Assigned to Environment and Natural Resources.

HB 3061 -- Directs ODOE to adopt energy efficiency rating system to be implemented for residential and nonresidential buildings by specified dates. Requires ODOE to convene advisory group to help establish performance scores for residential and nonresidential buildings.
http://www.leg.state.or.us/09reg/measures/hb3000.dir/hb3061.intro.html. Referred to Environment and Water, then to Ways and Means.

HB 3062 –Directs Department of Consumer and Business Services to take certain actions to achieve increases in building energy efficiency. Directs director to adopt aspirational code related to building energy efficiency.
http://www.leg.state.or.us/09reg/measures/hb3000.dir/hb3062.intro.html. Referred to Environment and Water, then to Ways and Means.

Financing

HB 2626 – Energy Efficiency and Sustainable Technology Act (EEAST). Requires State Treasurer to solicit investors for installation of energy efficiency features and packages. Creates Energy Efficiency and Productivity Fund for use by department in developing and administering energy efficiency program for one and two family residential dwellings in cooperation with certain nongovernmental entities and public and private utilities. Requires establishment of pilot program during biennium beginning July 1, 2009, and potential statewide implementation by January 2, 2012. Referred to Sustainability and Economic Development; Ways and Means. Hearing scheduled for March 24.
http://www.leg.state.or.us/09reg/measpdf/hb2600.dir/hb2626.intro.pdf

HB 3372 -- Authorizes local governments to establish local improvement district within which owners of qualifying residential and commercial property may receive loan financing of energy efficiency and renewable energy improvements, and ODOE to make loans to finance improvements in districts. Not assigned.
http://www.leg.state.or.us/09reg/measures/hb3300.dir/hb3372.intro.html

HB 2952 – Adds requirement that applicant filing application to obtain loan funds for small scale local energy project include proof that any necessary electrical, plumbing or other permits have been obtained.
http://www.leg.state.or.us/09reg/measures/hb2900.dir/hb2952.intro.html. Referred to Sustainability and Economic Development

BETC

HB 2067 – Two-year extension of tax credit for alternative energy devices and vehicles (see HB 2068 summary for description) from end of 2015 to end of 2017, sunsets credit in 2018. Assigned to House Revenue Committee.
http://www.leg.state.or.us/09reg/measures/hb2000.dir/hb2067.intro.html.

HB 2068 - Provides uniform procedures for transfer of certain income and excise tax credits under ORS 315.141 (biomass), 315.354 (energy conservation facilities), 316.116 (alternative energy devices or fuels under ORS 469.160 - 469.180 (http://www.leg.state.or.us/ors/469.html): category 1 = solar space heating or cooling, water heating, wind generators to offset electric, generators using alternative fuels, efficient appliances, premium efficiency biomass; category 2 = fuel cells, solar PV, wind electric. Applies to tax years beginning on or after January 1, 2010. Assigned to Revenue.
http://www.leg.state.or.us/09reg/measures/hb2000.dir/hb2068.intro.html

HB 2159 - Provides for transfer of portion of business energy tax credit. Sale, exchange or other disposition of interest in partnership or of shares in S corporation is not basis for revocation of certificate for purposes of business energy tax credit. Assigned to House Revenue. http://www.leg.state.or.us/09reg/measures/hb2100.dir/hb2159.intro.html

HB 2181 - Energy conserving improvements in existing buildings. Authorizes local governments to establish local improvement district within which owners of qualifying residential and commercial property may receive loan financing of energy efficiency and renewable energy improvements to property. Assigned to Sustainability and Economic Development. Hearing Feb. 26, work session March 17.
http://www.leg.state.or.us/09reg/measures/hb2100.dir/hb2181.intro.html.

HB 2472 - Establishes calendar year limit on total cost of facilities for which State Department of Energy may issue preliminary certificates for business energy tax credit. Assigned to Revenue. http://www.leg.state.or.us/09reg/measures/hb2400.dir/hb2472.intro.html

Renewable energy

HB 2121 - Pilot program for electricity generated from solar energy. Directs Public Utility Commission to develop pilot program to integrate up to 17 megawatts of electricity generated from solar power into load used in this state. Assigned to Sustainability and Economic Development.
http://www.leg.state.or.us/09reg/measures/hb2100.dir/hb2121.intro.html.

HB 2180 - Establishes Oregon Renewable Energy Grant Account and allows credit against income taxes for contributions to account. Assigned to Sustainability and Economic Development.
http://www.leg.state.or.us/09reg/measures/hb2100.dir/hb2180.intro.html.

HB 2182 - Relating to small scale local energy projects. Broadens definition of alternative fuel projects eligible for loan funds as small scale local energy project. Assigned to Sustainability and Economic Development.
http://www.leg.state.or.us/09reg/measures/hb2100.dir/hb2182.intro.html.

SB 195 - Relating to wave energy. Adds exemption for wave energy projects from provisions related to hydroelectric projects. Assigned to Environment and Natural Resources. http://www.leg.state.or.us/09reg/measures/sb0100.dir/sb0195.intro.html.

SB 334 – Authorizes State Treasurer to issue Article XI-D bonds, subject to bond amounts issuance limitation, to finance state acquisition and operation of renewable energy electricity generation facilities and transmission facilities. Establishes Bond Administration Fund and Renewable Energy Fund. Assigned to Environment and Natural Resources. http://landru.leg.state.or.us/09reg/measures/sb0300.dir/sb0334.intro.html

SB 585 - Relating to renewable energy – allows electricity from certain older generating facilities (pre-1995 efficiency upgrades) to be used as qualifying electricity for purpose of compliance with renewable portfolio standard. Assigned to Environment and Natural Resources. http://www.leg.state.or.us/09reg/measures/sb0500.dir/sb0585.intro.html

SB 624 – Prohibits future adoption, enactment or creation of homeowners association rules or private covenants, conditions, restrictions or other agreements that prohibit installation and use of renewable energy devices.
http://www.leg.state.or.us/09reg/measures/sb0600.dir/sb0624.intro.html. Referred to Environment and Natural Resources

SB 651 – Provides that public improvement contact for construction or certain reconstruction or renovation of public building is considered to contain amount equal to at least 1.5 percent of total contract price for inclusion of solar, geothermal or wind energy technology.
http://www.leg.state.or.us/09reg/measures/sb0600.dir/sb0651.intro.html. Referred to Environment and Natural Resources.

SB 662 – Authorizes ODOE to define “alternative fuel device,” or category one or two alternative energy device, and to define resource as renewable energy resource.
http://www.leg.state.or.us/09reg/measures/sb0600.dir/sb0662.intro.html. Referred to Environment and Natural Resources.

HB 3005 – Appropriates moneys to State Department of Agriculture for 2009-2011 to develop business plan for project to produce energy from agricultural sources and from food or other
wastes. http://www.leg.state.or.us/09reg/measures/hb3000.dir/hb3005.intro.html. Referred to Agriculture, Natural Resources and Rural Communities, then to Ways and Means.

HB 3039 – Requires OPUC to study qualifying renewable energy projects, including solar PV. Referred to Sustainability and Economic Development.
http://www.leg.state.or.us/09reg/measures/hb3000.dir/hb3039.intro.html

HB 3291 - Tax credits for energy conservation. Reduces percentage of certified cost of renewable energy resources facility, renewable energy resource equipment manufacturing facility or high-efficiency combined heat and power facility that is recoverable as tax credit. Assigned to House Revenue.
http://www.leg.state.or.us/09reg/measures/hb3200.dir/hb3291.intro.html.

HB 3352 -- Requires State Department of Energy to develop model list of homebuilder-installed renewable energy systems, and architects and developers to advice customers of them. Not assigned.
http://www.leg.state.or.us/09reg/measures/hb3300.dir/hb3352.intro.html

HB 3377 – Provides maximum allowable amount of credit for fuel cell system, other than homebuilder-installed renewable energy system, of 50 percent of total certified cost. Applies beginning 2010. Referred to Sustainability and Economic Development, then to Revenue. http://www.leg.state.or.us/09reg/measures/hb3300.dir/hb3377.intro.html.

HB 3445 – Requires energy facilities producing power from wind energy to be sited pursuant to energy facility site certificate without regard to amount of power generated. Referred to Environment and Water.
http://www.leg.state.or.us/09reg/measures/hb3400.dir/hb3445.intro.html.

HB 3446 -- Requires Public Utility Commission to require electric companies to collect surcharge from customers for costs of research related to how alternative energy production may promote conservation and enhancement of wildlife. Establishes State Fish and Wildlife Alternative Energy Fund and continuously appropriates moneys in fund to State Fish and Wildlife Commission for wildlife conservation. Not yet assigned.
http://www.leg.state.or.us/09reg/measures/hb3400.dir/hb3446.intro.html.

Climate change:

SB 38 – Registering and reporting GHG emissions. Allows Environmental Quality Commission to require registration and reporting by persons who import, sell or distribute for use in this state electricity or fossil fuels.
http://landru.leg.state.or.us/09reg/measures/sb0001.dir/sb0038.intro.html
Assigned to Environment and Natural Resources.

SB 80 – Cap-and trade: (1) Directs Environmental Quality Commission to adopt by rule greenhouse gas cap-and-trade system to achieve greenhouse gas emissions reduction goals. Requires application of cap-and-trade system to all energy facilities. Allows suspension of state's cap-and-trade system if federal cap-and-trade system is adopted. (2) Allows commission to require registration and reporting relating to greenhouse gas emissions and to establish registration fees. (3) Establishes Climate Improvement Fund. Continuously appropriates moneys in fund to Department of Environmental Quality for certain expenses related to greenhouse gas emissions. (4) Creates Oregon Climate Initiative Task Force. Authorizes task force to develop and present design recommendations for greenhouse gas cap-and-trade system to department. Sunsets task force on January 2, 2012. (5) Requires department to report on development of greenhouse gas cap-and-trade system and to submit to Seventy-sixth Legislative Assembly rules adopted by commission that implement cap-and-trade system. Declares emergency, effective on passage.
http://landru.leg.state.or.us/09reg/measures/sb0001.dir/sb0080.intro.html. Assigned to Environment and Natural Resources. Feb. 5 hearing.
See also HB 2186, http://www.leg.state.or.us/09reg/measures/hb2100.dir/hb2186.intro.html

SB 101 –Requires ODOE to establish greenhouse gas emissions performance standard for generating facilities that produce baseload electricity. Prohibits electricity provider from entering into long-term financial commitment unless generating facility complies

with greenhouse gas emissions performance standard. Prohibits Public Utility Commission from approving long-term financial commitment by electric company unless generating facility complies with greenhouse gas emissions performance standard. Requires State Department of Energy to ensure consumer-owned utility complies with greenhouse gas emissions performance standard. Modifies definition of 'energy facility' for purposes of regulation of energy facilities. Modifies circumstances in which site certificate not required.
http://landru.leg.state.or.us/09reg/measures/sb0100.dir/sb0101.intro.html. Assigned to Business and Transportation. Hearing Mar. 16.

HB 2072 - Imposes tax on each fuel supplier and utility based on amount of carbon in carbon-based fuel that is sold by fuel supplier to consumers in state or that is used to produce carbon-generated electricity supplied by utility to consumers in state. Limits tax on certain oil and natural gas to six percent of market value of oil or natural gas. Distributes moneys collected from tax to State Highway Fund, Common School Fund, Energy Crisis Trust Fund and Renewable Energy Resources Account. Creates Renewable Energy Resources Account to fund development of renewable energy resources. Appropriates moneys from General Fund to Department of Revenue and State Department of Energy for purpose of funding first year of administration of tax. Applies to carbon-based fuel sold to consumers or used to produce carbon-generated electricity on or after January 1, 2011. Referred to Environment and Water, then to Revenue, then to Ways and Means.
http://www.leg.state.or.us/09reg/measures/hb2000.dir/hb2072.intro.html

Low income

SB 201 - Relating to energy efficiency in low income housing; appropriating money. Establishes Housing and Community Services Department energy efficiency program. Assigned to Environment and Natural Resources.
http://www.leg.state.or.us/09reg/measures/sb0200.dir/sb0201.intro.html.

Other

HB 3155 – Requires governing body of consumer-owned utility to establish local conservation and energy efficiency plan or annual conservation, energy efficiency and carbon reduction or avoidance program. Specifies projects eligible for funding under plan, and requires consumer-owned utility to provide annual reports. Referred to Environment and Water.
http://www.leg.state.or.us/09reg/measures/hb3100.dir/hb3155.intro.html

HB 2758/SB 446 - Relating to green energy technology (i.e., renewable energy or efficiency) in public buildings – Requires public agency to include amount in contract for construction, reconstruction or major renovation of public building equivalent to 1.5 percent of total contract price for inclusion of appropriate green energy technology. Assigned to Environment and Natural Resources.
http://www.leg.state.or.us/09reg/measures/hb2700.dir/hb2758.intro.html.