

Amendments Submitted for HB 2020

#	Date	Submitter	Explanation
<u>-2</u>	3/1	Rep Brock Smith	Removes emergency clause.
<u>-4</u>	3/1	Rep Brock Smith	Prohibits any entity that receives moneys from state proceeds from OCAP auctions from using any of moneys received to make contributions to candidate, petition committee, or political committee. Requires an entity that has received funds from OCAP to complete a certificate of compliance on form required by Secretary of State when entity makes contribution to candidate, petition committee, or political committee.
<u>-5</u>	3/1	Rep Brock Smith	Requires allocations from Climate Investment Fund and Transportation Decarbonization Investments Account to the maximum extent feasible, cost-effective, and consistent with law be in addition to, and not in replacement of, any existing allocations or appropriations for projects, activities, communities, and other funds.
<u>-6</u>	3/1	Rep Brock Smith	Replaces measure. Inserts whereas clauses. Defines key terms. Requires Department of Environmental Quality (DEQ) and Oregon Department of Forestry (ODF) conduct study on opportunities for state actions to promote carbon sequestration. Requires study evaluate opportunities that include, but need not be limited to: opportunities for providing incentives to industries to engage in carbon sequestration and other activities to store carbon, including but not limited to opportunities for providing tax incentives or tax credits to electric companies, natural gas utilities, transportation industry entities, and other industries for reducing greenhouse gas emissions and engaging in carbon capture and carbon sequestration efforts, to be used for job creation or carbon capture and carbon sequestration projects; and other opportunities for capitalizing on carbon sequestration methods, such as natural ecosystems carbon sequestration and carbon capture and storage technologies and other industrial carbon sequestration methods, to store carbon while also promoting economic development and long-term job creation in this state within the market sectors engaged in carbon sequestration efforts. Requires study include consideration of regional approaches, other than adopting or participating in a greenhouse gas cap-and-trade system, for reducing greenhouse gas emissions through carbon sequestration. Requires DEQ and ODF submit report to interim committee of Legislative Assembly related to natural resources no later than September 15, 2020. Authorizes report to include recommendations for legislation. Repeals study requirement on January 2, 2021.
<u>-7</u>	3/29	Rep Brock Smith	Replaces restrictions for the use of moneys deposited in Transportation Decarbonization Investments Account. Requires moneys in Transportation Decarbonization Investments Account to be used by ODOT to issue refunds to person that uses fuel to propel a vehicle on public highways and after making all valid refunds available to be allocated by the Legislative Assembly subject to direction from Act for purposes of authorized uses by Article IX, section 3a of

Amendments Submitted for HB 2020

			<p>the Oregon Consecution and that further purposes of Act. Authorizes any person using fuel to propel motor vehicle on public highways of state apply to ODOT for refund equal to number of gallons of fuel used to propel motor vehicle on public highways during immediately preceding calendar year multiplied by 75 percent of per gallon price of allowance. Requires ODOT calculate per gallon price of allowance using auction floor price for allowances in year for which refund is claimed. Requires application for refund be submitted to ODOT by March 1 following calendar year to which refund application relates. Requires application be in form prescribed by ODOT by rule and include statement signed by applicant under penalties for false swearing, setting forth number of gallons of fuel proposed as basis for computing amount of refund. Authorizes ODOT require applicant for refund furnish information ODOT considers necessary for processing application. Defines fuel. Authorizes ODOT investigate refund application, gather and compile information related to application as ODOT considers necessary. Authorizes ODOT examine relevant records of applicant to establish validity of application. Stipulates if applicant does not permit ODOT examine relevant records, applicant waives all rights to refund to which application relates. Requires ODOT reject or approve application for refund. Authorizes ODOT modify application to any reasonable extent necessary for approval. Requires ODOT notify applicant if ODOT rejects or modifies application and explain reasons for rejection or modification. Requires ODOT notify applicant and make refund if ODOT approves application. Establishes provisions of ORS chapters 305, 314, and 316 apply to determinations of taxes, penalties, and interest of refund applications by persons that uses fuel to propel motor vehicles on public highways to ODOT. Removes emergency clause and declares takes effect on the 91st day after sine die.</p>
-8	3/29	Rep Brock Smith	<p><i>(Identical to HB 2020-56)</i> Requires CPO to exclude dyed diesel from regulated emissions. Stipulates moneys deposited in the Transportation Decarbonization Investments Account may be used only by ODOT to issue refunds to person that use fuel to propel a farm vehicle registered vehicle and after making all valid refunds available to be allocated by the Legislative Assembly subject to direction from Act for purposes of authorized uses by Article IX, section 3a of the Oregon Consecution and that further purposes of Act. Authorizes any person that uses fuel to propel a motor vehicle registered under a farm vehicle registration to apply to ODOT for a refund equal to the number of gallons of fuel used per year multiplied by 75 percent. Establishes operational provisions for the refund. Authorizes timber producer to apply to ODOT to receive forest product vehicle registration. Establishes forest product application, fee, qualification, resale and penalty process. Establishes allowable uses of forest product vehicle. Establishes requirements for proportional registration for timber production vehicles. Makes conforming amendments. Removes emergency clause and declares takes effect on the 91st day after sine die.</p>
-11	3/6	Sen Bentz	<p>Requires the CPO to allocate allowances for direct distribution at no cost to entities that produce or import fuel that is distributed for use in Oregon to address emissions related to combustion of fuel. Requires CPO to allocate allowances</p>

Amendments Submitted for HB 2020

			to entities for fuel fin 2021 an amount equal to 100 percent of the covered emissions and 2022-2031 an amount that declines annually by 10 percent each year.
-14	3/4	Sen Bentz	Effective January 2, 2022, repeals statutory provisions of low carbon fuel standard.
-15	3/6	Sen Bentz	Replaces process for setting auction floor price, allowance price containment reserve floor price, and price ceiling. Requires CPO to set auction floor price that may not exceed 10 dollars, allowance price containment reserve floor price that may not exceed 10 dollars, and hard auction price ceiling that may not exceed 25 dollars. Authorizes CPO to annually increase auction floor price, allowance price containment reserve floor price, and hard auction price ceiling based on any changes in Consumer Price Index for All Urban Consumers, West Region (All Items), published by Bureau of Labor Statistics of U.S. Department of Labor for 2022 and subsequent calendar years. Prohibits any annual increase in auction floor price, allowance price containment reserve floor price, or hard auction price ceiling to exceed three percent above applicable price from preceding calendar year. Requires CPO adopt rules for making unlimited number of allowances available for auction upon exceedance of hard price ceiling. Removes requirement for CPO to consider prevailing prices for carbon in other jurisdictions and setting price requirements in manner that enables state pursue linkage agreements with other jurisdictions in setting auction floor price, allowance price containment reserve floor price, and hard price ceiling.
-16	3/1	Sen Bentz	Changes purpose of Act to provide households, businesses and workers impacted by the transition in this state that allows the State of Oregon to achieve the greenhouse gas reduction goals by removing reference to transitioning an economic system. Changes direction for investments from the Transportation Decarbonization Investments Account and the Climate Investments Fund to the maximum extent possible to provide assistance to help households businesses and workers make a transition by removing reference to economic system.
-17	3/4	Sen Bentz	Requires the CPO declare emergency suspension of OCAP by issuing order no later than 15 calendar days after date the office of economic analysis in DAS determines Oregon is in a recession. Provides stipulation for order to specify expiration date of emergency suspension, suspend auctions until after expiration date, and suspend compliance obligations under OCAP for emissions generated on and after date of order and on and before expiration date. Authorizes CPO to amend expiration date of emergency suspension by order if CPO determines recession has ended. Requires amended expiration date to be 15 calendar days after date order is issued.
-19	3/6	Sen Bentz	Extends purposes of OCAP to include providing equitable distribution of burdens and benefits of OCAP and the expenditures and investments from auctions among the rural and urban areas of the state. Changes purpose of Act to

Amendments Submitted for HB 2020

			provide households, businesses and workers impacted by the transition in this state that allows the State of Oregon to achieve the greenhouse gas reduction goals by removing reference to transitioning an economic system. Requires OCAP provide for equitable distribution among rural and urban areas of state of burdens and benefits of OCAP and expenditures and investments of state proceeds from auctions. Requires moneys deposited in Climate Investments Fund and Transportation Decarbonization Investments Account be allocated in manner consistent with purpose of OCAP. Requires total amount of allocations during biennium from Climate Investments Fund and Transportation Decarbonization Investments Account to result in investments in economic development and job creation that provide equitable opportunities among residents of rural and urban areas and include measures to balance for differential impacts among rural and urban areas of state of OCAP on energy rates.
-26	3/8	Sen Olsen	Requires the CPO to designate as covered entities under the OCAP those companies that are based in Oregon but that manufacture their products in other countries or states that do not have a price on carbon, for the purpose of regulating the emissions generated in the production of those products manufactured by the company in another country but sold or offered for sale in Oregon under certain circumstances.
-27	3/6	Sen Olsen	Requires DAS to adopt policy encouraging those who use state’s motor fleet to first use electric or low-emission vehicles. Requires vehicle purchased by DAS to be part of fleet to be zero-emission vehicle unless: vehicle is over 8,000 pounds; is for emergency purposes; or it is purchased or leased for nonemergency purposes for which zero-emission vehicles are not technologically feasible or commercially available. Applies to purchases on and after January 1, 2021.
-31	3/25	Co-Chairs, JCCR	Chairs omnibus amendment.
-33	3/14	Sen Bentz	Requires a percentage that may not exceed _____ of the moneys deposited in the Climate Investments Fund be allocated for deposit in Decarbonization Advancements Grant Fund (Fund). Establishes Fund in State Treasury, separate and distinct from General Fund. Requires interest earned by Fund be credited to Fund. Requires moneys in Fund that are continuously appropriated to Oregon Business Development Department (OBDD) be distributed pursuant to Decarbonization Advancements Grant Program (Program). Defines best available technology and emissions-intensive, trade exposed covered entity (EITE). Requires OBDD establish Program by rule. Requires Program provide grants to EITEs to install or adopt best available technology for manufacture of goods by EITEs. Authorizes Department to require EITE provide matching funds. Requires Department give preference to providing grants for EITEs geographically located in: impacted communities or in counties with high proportion of census tracts designated

Amendments Submitted for HB 2020

			as impacted communities; counties that have experienced negative net migration, irrespective of natural population change, since most recent federal decennial census occurring three or more years prior to current estimated population figure for county, based on available population statistics; counties experiencing low levels of economic development, as measured by frequency at which operations begin with county of new entities that provide employment opportunities comparable to employment opportunities provided by EITE applying for grant. Requires OBDD to deliver to Carbon Policy Office, for consideration for inclusion under biennial Climate Action Investment Plan estimate of amount necessary to fully fund the Program during upcoming biennium each even-numbered year. Requires estimate be based on amount of moneys necessary to provide grant assistance to all EITEs in state that plan to install or adopt best available technology during biennium. Requires OBDD convene advisory committee of representatives of EITEs to advise OBDD in developing estimate required.
-34	3/4	Sen Bentz	Prohibits moneys in the Transportation Decarbonization Investments Account from being pledged or assigned to secure a bond or other debt obligation.
-35	3/14	Sen Bentz	Establishes requirements for annual reporting to the CPO from agencies, counties, cities, and other public and private entities that receive funds from the Climate Investments Fund and the Transportation Decarbonization Investments Account to include whether the projects funded reduced GHG in the most cost effective manner; maintained balance among purposes of Act; are duplicative of programs; whether certain provisions of Act resulted in imposition of excessive costs; number of businesses capable of creating a green job and number of businesses that have left the state as result of Act.
-36	3/6	Sen Bentz	Replaces section of Act that distributes allowances for natural gas utilities. Requires CPO to adopt rules for allocating allowances for direct distribution at no cost to natural gas utility as follows: 100 percent of the forecasted covered emissions during calendar year 2021; and from 2022-2050 at an amount that declines annually by constant amount proportionate to the decline in the amount of allowances available.
-37	3/14	Sen Bentz	Requires proposed linkage agreement provides that Oregon does not relinquish any authority to a linking jurisdiction over setting prices.
-40	3/1	Sen Bentz	Removes section 34, requirements for construction projects funded by certain auction proceeds.
-41	3/1	Sen Bentz	Removes section 70, expedited judicial review for auction proceeds being subject to Article IX, section 3a of the Oregon Constitution.

Amendments Submitted for HB 2020

-43	3/1	Sen Bentz	Removes emergency clause and changes expedited judicial review deadlines for filing petitions to July 1, 2020.
-44	3/6	Sen Beyer	Authorizes PUC to allow a rate or rate schedule of electric company or natural gas utility to reflect investments in infrastructure that support adoption of alternative forms of transportation vehicles under certain circumstances. Stipulates investment in infrastructure for alternative forms of transportation is a utility service and benefit to ratepayer if: it will support adoption of alternative vehicles powered by electricity or compressed natural gas; and it can be reasonably anticipated to cost-effectively reduce GHG emissions over time, benefit utility system. Establishes that benefits may include but need not be limited to: distribution or transmission managing benefits system efficiencies or other economic values benefiting ratepayers over the long term or increased access to long term utility service.
-46	4/4	Sen Olsen	Removes language that stipulates that for determining compliance obligation for electric system manager electricity scheduled that is generated from renewable resource and acquired without acquiring renewable energy certificate is considered to have the emission attributes of the underlying renewable resource. Removes exclusion of GHG emissions from an air contamination source that is delivered to another state and is included in multistate jurisdictional electric company. Requires CPO consult with PUC in allocating allowances to electric company. Makes requirements for rules that include: preserving the incentive for an electric company receiving allowances to reduce GHG emissions; maintain and support competition within the wholesale and retail electricity markets; allow an electric company, subject to PUC oversight, to use allowances only to meet compliance obligation; require electric company to submit report to CPO on allowance usage; and ensure distribution and use of revenues do not provide a cost advantage and does not discriminate against consumers that purchase electricity through direct access. Stipulates that prohibition against fossil fuel distribution and storage facilities or infrastructure, or an electric generating unit receiving no cost allowances only applies to entities not in operation before January 1, 2019. Requires value of allowances, rather than proceeds of allowances to be used in manner that preserves incentive to reduce ghg emissions; maintains and supports competition; does not discriminate against retail electricity consumers that purchase through direct access; and to meet compliance obligation. Authorizes the CPO to adjust registration and reporting requirements if necessary for participation in energy imbalance market.
-47	4/1	Sen Olsen	Replaces restrictions for the use of moneys deposited in Transportation Decarbonization Investments Account. Requires moneys in Transportation Decarbonization Investments Account to be used by ODOT to issue refunds to person that uses fuel to propel a vehicle on public highways and after making all valid refunds available to be allocated by the Legislative Assembly subject to direction from Act for purposes of authorized uses by Article IX, section 3a of the Oregon Consecution and that further purposes of Act. Authorizes person to apply to ODOT for refund equal to

Amendments Submitted for HB 2020

			the number of gallons of fuel used to propel motor vehicle on public highway multiplied by the per gallon price of allowance. Authorizes person that is an asset-based carrier headquartered in Oregon that employees over 500 employees and transports freight interstate by truck if person is: registered SmartWay Truck Carrier; maintains satisfactory safety rating; files greenhouse gas emissions reduction plan with ODOT; and stores over 50,000 gallons of fuel in a single location for their use that was purchased by a covered entity. Establishes process for applying for evaluating and determining refund eligibility. Establishes provisions of ORS chapters 305, 314, and 316 apply to determinations of taxes, penalties, and interest of refund applications by persons that uses fuel to propel motor vehicles on public highways to ODOT. Removes emergency clause and declares takes effect on the 91 st day after sine die.
-48	3/14	Sen Bentz	Expands list of benchmarks CPO must calculate to include a national sector benchmark and an Oregon sector benchmark. Removes requirement for sector benchmark. Requires CPO to calculate an Oregon benchmark, rather than sector benchmark for a good manufactured through an EITE process by three or more covered entities and opt-in entities. Requires CPO to calculate a national sector benchmark for goods that are manufactured through an EITE process that uses recycled material for over 90 percent of its feedstock. Establishes process for calculating national sector benchmark.
-49	3/14	Sen Bentz	Requires CPO Director to adopt rules prohibiting a covered entity that sells natural gas or other fuel to another covered entity from allocating the cost of compliance with the program to the covered entity that is the buyer if the seller has no obligation to purchase allowances related to the buyer's usage.
-53	3/14	Rep Brock Smith	Requires Carbon Policy Office (CPO) to allocate a percentage of allowances to be distributed directly into an electricity price forecasted growth reserve. Authorizes allowances to be distributed only when the distribution is necessary to protect electricity ratepayers from cost increases associated with increases in regulated emissions due to forecasted load growth. Requires Director of CPO (Director) to adopt by rule a process for electric system managers to apply for direct distribution at no cost of allowances from electricity price forecasted growth reserve. Requires CPO to allocate for direct distribution at no cost to an electric system manager amount of allowances to align with trajectory of emissions reductions. Requires Director to adopt by rule a calculation for determining amount of allowances available for direct distribution taking into account the electricity scheduled by an electric system manager for which unbundled renewable energy certificates are required to be retired, and the emissions attributable to nonspecific market purchases by electric system manager.

Amendments Submitted for HB 2020

-56	3/29	Sen Girod	<p><i>(Identical to HB 2020-8)</i> Requires CPO to exclude dyed diesel from regulated emissions. Stipulates moneys deposited in the Transportation Decarbonization Investments Account may be used only by ODOT to issue refunds to person that use fuel to propel a farm vehicle registered vehicle and after making all valid refunds available to be allocated by the Legislative Assembly subject to direction from Act for purposes of authorized uses by Article IX, section 3a of the Oregon Consecution and that further purposes of Act. Authorizes any person that uses fuel to propel a motor vehicle registered under a farm vehicle registration to apply to ODOT for a refund equal to the number of gallons of fuel used per year multiplied by 75 percent. Establishes operational provisions for the refund. Authorizes timber producer to apply to ODOT to receive forest product vehicle registration. Establishes forest product application, fee, qualification, resale and penalty process. Establishes allowable uses of forest product vehicle. Establishes requirements for proportional registration for timber production vehicles. Makes conforming amendments. Removes emergency clause and declares takes effect on the 91st day after sine die.</p>
-57	4/1	Rep Brock Smith	<p>Requires direct distribution of allowances to Bonneville Power Administration during calendar year 2021 represent amount equal to 100 percent of covered emissions forecast for 2021, based on average of greenhouse gas emissions information from 2002 through most recent reporting year for which information on greenhouse gas emissions is available and verified by Carbon Policy Office, to be attributable to electricity delivered by Bonneville Power Administration to consumer-owned utilities and consumed in state.</p>
-60	3/19	Sen Knopp	<p>Requires CPO to forecast for 2021 the amount of GHG emissions attributable to consumer-owned (COU) utility that would have been regulated, had it not been excluded, if it is determined that the GHG emissions are excluded from regulation. Requires the CPO, in the year it is determined that the COU emissions no longer qualify for an exclusion, to allocate for direct distribution to electric system manager that schedules the COU's electricity an amount of allowances equal to the forecasted amount multiplied by the percentage necessary to reduce allocation consistent with the required allocation decline.</p>