

HB 2143-4
(LC 658)
4/6/21 (AG/ps)

Requested by HOUSE COMMITTEE ON ENERGY AND ENVIRONMENT (at the request of Representative Pam Marsh)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2143**

1 On page 1 of the printed bill, line 2, after “projects;” insert “creating new
2 provisions;”.

3 On page 2, line 23, delete “2020” and insert “2021”.

4 After line 29, insert:

5 “(d) The amount of theoretical horsepower upon which the fees are paid
6 must be computed by multiplying the maximum amount of water appropri-
7 ated, expressed in cubic feet per second, by the average total fall utilized,
8 expressed in feet, and dividing the number resulting from the multiplication
9 by 8.8.

10 “(e) For a project that diverts water from a point on a river that forms
11 a border with another state, the fee computation described in paragraph (d)
12 of this subsection may not use as the maximum amount of water appropriated
13 more than half of the capacity of the project.”.

14 On page 3, after line 3, insert:

15 **“SECTION 2a. Notwithstanding ORS 543.078 (2)(a), a holder of a
16 hydroelectric project shall pay \$0.48 per theoretical horsepower for a
17 project producing more than 123.5 theoretical horsepower if:**

18 **“(1) The project is not exempt from relicensing under ORS chapter
19 543A; and**

20 **“(2) The holder has not received either:**

21 **“(a) A final order described in ORS 543A.130 that approves an ap-**

1 **plication for reauthorization of a water right or license; or**

2 **“(b) A new license issued by the Federal Energy Regulatory Com-**
3 **mission on or after the effective date of this 2021 Act to replace an**
4 **original license issued by the commission.**

5 **“SECTION 2b. Section 2a of this 2021 Act is repealed on December**
6 **31, 2023.”.**

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