

Requested by Representative MARSH

**PROPOSED AMENDMENTS TO
HOUSE BILL 4058**

1 On page 1 of the printed bill, line 2, delete “and 757.695”.

2 After line 3, insert:

3 “Whereas the frequency and severity of extreme weather events and
4 wildfires affecting Oregonians has increased in recent years and is expected
5 to increase further; and

6 “Whereas the impacts of extreme weather events such as cold snaps and
7 heat domes have a disproportionate impact on low-income communities and
8 members of environmental justice communities; and

9 “Whereas heating, cooling or air filtration technologies may increase
10 electricity use and can impact the energy burden of low-income residential
11 customers and residential customers who are members of environmental jus-
12 tice communities; and

13 “Whereas energy efficient air conditioners and heat pumps and other en-
14 ergy burden mitigation measures can save renters and homeowners money
15 on utility bills and improve the comfort and habitability of dwellings; now,
16 therefore,”.

17 Delete lines 5 through 22 and delete pages 2 through 10 and insert:

18

19 **“AIR CONDITIONER AND AIR FILTER**
20 **DEPLOYMENT PROGRAM**

21

1 **“SECTION 1. (1) As used in this section:**

2 **“(a) ‘Air conditioner’ means a portable, stand-up air conditioner**
3 **that has an energy efficiency ratio rating of eight or higher.**

4 **“(b)(A) ‘Air filter’ means an air filtering device that uses a high-**
5 **efficiency particulate air (HEPA) filter to remove contaminating par-**
6 **ticles from the air.**

7 **“(B) ‘Air filter’ does not include a device that is labeled an ‘air**
8 **purifier’ and that uses an electrostatic or ionizing process.**

9 **“(c) ‘Eligible distribution entity’ means a:**

10 **“(A) Local government as defined in ORS 174.116;**

11 **“(B) Local housing authority;**

12 **“(C) Nonprofit organization;**

13 **“(D) Federally recognized Indian tribe in Oregon;**

14 **“(E) Indian health center;**

15 **“(F) Coordinated care organization as defined in ORS 414.025;**

16 **“(G) Community action agency as described in ORS 458.505;**

17 **“(H) Manufactured dwelling park nonprofit cooperative as defined**
18 **in ORS 62.803;**

19 **“(I) Landlord who has a tenant who receives medical assistance**
20 **through the Oregon Health Authority or Department of Human Ser-**
21 **vices;**

22 **“(J) Electric utility as defined in ORS 757.600; or**

23 **“(K) Natural gas utility as defined in ORS 757.392.**

24 **“(d) ‘Medical assistance’ has the meaning given that term in ORS**
25 **414.025.**

26 **“(2)(a) The Oregon Health Authority shall create a program to:**

27 **“(A) Acquire an emergency supply of air conditioners and air fil-**
28 **ters; and**

29 **“(B) Distribute the air conditioners and air filters to eligible dis-**
30 **tribution entities that will provide on an emergency basis the air**

1 conditioners and air filters to individuals eligible under subsection (4)
2 of this section.

3 “(b) The Oregon Health Authority may provide or contract with one
4 or more third parties to provide the program.

5 “(3) The Oregon Health Authority or a third party shall:

6 “(a) Determine the percentage of program funds needed to support
7 the costs of installation and materials for installation.

8 “(b) Determine the percentage of program funds, but no more than
9 10 percent of program funds, needed to cover the costs of the authority
10 or a third party or parties and eligible distribution entities in admin-
11 istering the program.

12 “(c) Maintain technical assistance resources for individuals who
13 receive an air conditioner or air filter from the program to answer
14 questions about the installation, use and maintenance of the air con-
15 ditioners and air filters.

16 “(d) Provide technical assistance to eligible distribution entities.
17 Technical assistance may include assistance that supports the distrib-
18 ution, installation and maintenance of the air conditioners and air
19 filters and administration of the distribution of the air conditioners
20 and air filters.

21 “(4) An individual is eligible to receive an air conditioner or air
22 filter under this section if the individual:

23 “(a) Is eligible to receive medical assistance through the Oregon
24 Health Authority, Department of Human Services or Medicare, or has
25 received these services in the past 12 months;

26 “(b) Resides in any type of housing or recreational vehicle, as de-
27 fined in ORS 174.101, that has electricity for operating the air condi-
28 tioner or air filter; and

29 “(c) Upon receiving an air conditioner or air filter, provides an
30 attestation that the individual can safely and legally install the air

1 conditioner or air filter in the individual’s home or recreational vehi-
2 cle.

3 “(5) The Oregon Health Authority shall make available a list of el-
4 igible distribution entities participating in the program to:

5 “(a) Individuals who are eligible to receive medical assistance
6 through the Oregon Health Authority or Department of Human Ser-
7 vices.

8 “(b) The 2-1-1 system provided for in ORS 403.400 to 403.430.

9 “(c) The Housing and Community Services Department to make
10 available to the public on that department’s website.

11 “(6) The Oregon Health Authority and any eligible distribution en-
12 tity participating in the program are not liable for:

13 “(a) The functioning, safety or impact of any air conditioner or air
14 filter distributed by the program.

15 “(b) Any heat-related health impacts to an individual using an air
16 conditioner or air filter distributed by the program.

17 “(7) The Oregon Health Authority shall adopt rules to implement
18 the program described in this section.

19

20 “HEALTHY HOMES PROGRAM

21

22 “**SECTION 2.** ORS 431A.400 is amended to read:

23 “431A.400. (1) As used in this section:

24 “(a) ‘Eligible entity’ means a:

25 “(A) Local government as defined in ORS 174.116;

26 “(B) Local housing authority;

27 “(C) Nonprofit organization;

28 “(D) Federally recognized Indian tribe in Oregon;

29 “(E) **Indian health center;**

30 “[*E*] (F) Coordinated care organization as defined in ORS 414.025;

1 “[(F)] (G) Community action agency as described in ORS 458.505; [or]

2 “[(G) Program administered by:]

3 “(H) **Manufactured dwelling park nonprofit cooperative as defined**
4 **in ORS 62.803;**

5 “[(i)] (I) An electric [*company*] **utility** as defined in ORS 757.600; or

6 “[(ii)] (J) A natural gas utility as defined in ORS 757.392.

7 “(b) ‘Environmental justice factor’ means a circumstance or condition
8 that impacts a community’s ability to achieve a balance of health, economic
9 or environmental benefits and burdens or that impacts a community’s ability
10 to participate in public processes.

11 “(c) ‘Grant program recipient’ means an eligible entity that has been
12 awarded a grant from the Oregon Health Authority under this section.

13 “(d) ‘Landlord’ means a landlord, as defined in ORS 90.100, that meets
14 eligibility criteria for a loan, grant or other financial assistance under the
15 Healthy Homes Program as determined by the authority.

16 “(e) ‘Low income household’ means a household having an income equal
17 to or below 80 percent of the area median family income as determined by
18 the authority.

19 “(f) ‘Nonprofit organization’ means an organization or group of organiza-
20 tions that is described in section 501(c)(3) of the Internal Revenue Code and
21 is exempt from income tax under section 501(a) of the Internal Revenue Code.

22 “(g) ‘Repair and rehabilitation’ includes actions that:

23 “(A) Maximize energy efficiency of residences;

24 “(B) Extend the usable life of residences; or

25 “(C) Improve the health and safety of the occupants of residences, in-
26 cluding:

27 “(i) Radon abatement;

28 “(ii) Lead abatement;

29 “(iii) Mold and mildew abatement;

30 “(iv) Installation of a smoke filtration system, an air purification system

1 or ventilation or reduction of pathways for air infiltration;

2 “(v) Removal of asthma or allergen triggers;

3 “(vi) Structural or safety improvements that increase accessibility or
4 visitability;

5 “(vii) Improvements that make homes more fire resistant; *[and]*

6 “(viii) Structural or safety improvements that promote seismic
7 resiliency[.];

8 **“(ix) Improvements that reduce the reflection of heat on or around
9 the home, including improvements related to trees, vegetation, green
10 roofs or cool roofs; and**

11 **“(x) Electrical upgrades that improve the safety of the home or
12 support or enable the use of energy efficiency upgrades such as heat-
13 ing or cooling devices.**

14 “(h) ‘Residence’ means a dwelling that is intended for occupation by a
15 single family and is occupied by one or more individuals who are members
16 of a low income household as the individuals’ principal residence, including
17 a site-built home, manufactured home, residential trailer, mobile home, con-
18 dominium unit or unit within multifamily housing.

19 “(i) ‘Smoke filtration system’ means a residential air filtration system
20 that meets minimum efficiency standards, as determined by the authority, for
21 the removal of particulates and other harmful substances generated by
22 wildfires.

23 “(2) The Healthy Homes Program is established within the Oregon Health
24 Authority. The purpose of the program is to provide grants to eligible enti-
25 ties that provide financial assistance to persons in low income households
26 to repair and rehabilitate their residences and to landlords to repair and
27 rehabilitate dwelling units inhabited by low income households.

28 “(3) To be eligible to receive grants from the Healthy Homes Program,
29 an eligible entity must establish that it:

30 “(a) Serves or represents:

1 “(A) Communities with high concentrations of low income households; or

2 “(B) Communities impacted by environmental justice factors, including
3 but not limited to:

4 “(i) Areas with above-average concentrations of historically disadvan-
5 taged households or residents with low levels of educational attainment,
6 areas with high unemployment, high linguistic isolation, low levels of
7 homeownership or high rent burden or sensitive populations;

8 “(ii) Areas disproportionately affected by environmental pollution and
9 other hazards that can lead to negative public health effects, exposure or
10 environmental degradation; or

11 “(iii) Other environmental justice factors as determined by the authority.

12 “(b) Has the capacity to administer grant funds received under this sec-
13 tion.

14 “(c) Is able to comply with the requirements of all state and federal laws,
15 rules and regulations.

16 “(4)(a) The authority shall adopt by rule processes for eligible entities to
17 apply to receive grants from the Healthy Homes Program. The processes may
18 include a request for proposals.

19 “(b) The authority may adopt by rule:

20 “(A) Standards for repair and rehabilitation activities conducted by low-
21 income households;

22 “(B) Standards for repair and rehabilitation activities conducted by land-
23 lords;

24 “(C) Additional requirements for landlords who receive program funds;
25 and

26 “(D) Provisions for the allocation of program funds including but not
27 limited to allocations for types of eligible entities, types of recipients, types
28 of housing and regions of this state.

29 “(c) The authority, in consultation with the Governor’s Policy Advisor for
30 Economic and Business Equity, may establish by rule standards for the work

1 performed using grants from the program to be performed by disadvantaged
2 business enterprises, minority-owned businesses, woman-owned businesses or
3 businesses that service-disabled veterans own, as those terms are defined in
4 ORS 200.005.

5 “(5) Upon being awarded a grant under this section, the grant program
6 recipient shall enter into an agreement with the authority that contains
7 provisions that:

8 “(a) Indicate the purposes for which the grant funds may be used;

9 “(b) Prohibit the grant program recipient from using more than 15 percent
10 of grant funds for administrative expenses and program delivery costs;

11 “(c) Include the repayment provisions set forth in subsection (6) of this
12 section;

13 “(d) Permit the authority to conduct audits and investigations of the
14 grant program recipient regarding the purposes for which grant funds have
15 been used; and

16 “(e) Require the grant program recipient to provide reports as set forth
17 in subsection (7) of this section.

18 “(6) A grant program recipient must repay to the authority, in whole or
19 in part, grant funds received under this section to the extent that:

20 “(a) The grant program recipient does not use the grant funds in accord-
21 ance with the provisions of the grant agreement executed between the au-
22 thority and the grant program recipient under subsection (5) of this section;
23 or

24 “(b) The Director of the Oregon Health Authority determines that the
25 grant program recipient must repay all or part of the grant funds on grounds
26 of misappropriation, fraud or similar reasons after auditing or investigating
27 the grant program recipient’s operations and conducting a contested case
28 hearing under ORS 183.413 to 183.470.

29 “(7) A grant program recipient shall report to the authority by June 30
30 of each year concerning the status and use of grant funds received under this

1 section. The report required under this section may not disclose the personal
2 information of the recipients of loans, grants or other financial assistance
3 under the Healthy Homes Program. The report must include:

4 “(a) A detailed description of the grant program recipient’s use of grant
5 funds;

6 “(b) A list of each loan, grant or other financial assistance that the grant
7 program recipient has provided and, where applicable, a full accounting of
8 the repayment status of the loans;

9 “(c) The number of low income households that the grant program recip-
10 ient has provided financial assistance to for the repair and rehabilitation of
11 their residences;

12 “(d) The number of landlords that the grant program recipient has pro-
13 vided financial assistance to for the repair and rehabilitation of dwelling
14 units;

15 “(e) The nature and amounts of the administrative expenses and program
16 delivery costs the grant program recipient has incurred in providing the fi-
17 nancial assistance under the program;

18 “(f) Disaggregated data concerning the income, racial or ethnic back-
19 ground, family size and related demographic information of low income
20 households who received financial assistance for repair and rehabilitation
21 of residences under the program from the grant program recipient; and

22 “(g) Any other information required by the authority.

23 “(8) The authority may not pay amounts for grants under this section
24 from any source other than available funds in the Healthy Homes Repair
25 Fund established in ORS 431A.402.

26 “(9) Under the Healthy Homes Program, the authority may develop, or
27 contract with public institutions of higher education or nonprofit organiza-
28 tions to assist in developing:

29 “(a) Methods for evaluating health hazards in housing;

30 “(b) Methods for preventing and reducing health hazards in housing;

1 “(c) Performance measures for the work being performed through the fi-
2 nancial assistance provided under the program; and

3 “(d) Recommendations for promoting the incorporation of healthy housing
4 into ongoing practices and systems, including housing codes.

5

6 **“HEAT PUMP DEPLOYMENT PROGRAM**

7

8 **“SECTION 3. (1) As used in this section:**

9 **“(a) ‘Bulk fuel’ means liquid petroleum, propane, coal, wood,**
10 **wood-based products or other fuel delivered and stored until used on-**
11 **site by the final consumer to produce energy.**

12 **“(b) ‘Climate zone’ means a heating or cooling climate zone as-**
13 **signed to a county by the Bonneville Power Administration.**

14 **“(c) ‘Electric resistance heat’ means heat produced by passing an**
15 **electric current through a material that has high resistance, such as**
16 **used in an electric baseboard, wall or space heater.**

17 **“(d) ‘Electric utility’ has the meaning given that term in ORS**
18 **757.600.**

19 **“(e) ‘Eligible entity’ means a:**

20 **“(A) Local government as defined in ORS 174.116;**

21 **“(B) Local housing authority;**

22 **“(C) Nonprofit organization;**

23 **“(D) Federally recognized Indian tribe in Oregon;**

24 **“(E) Coordinated care organization as defined in ORS 414.025;**

25 **“(F) Community action agency as described in ORS 458.505;**

26 **“(G) Manufactured dwelling park nonprofit cooperative as defined**
27 **in ORS 62.803; or**

28 **“(H) An electric utility.**

29 **“(f) ‘Energy burden’ means the percentage of gross household in-**
30 **come spent on energy costs.**

1 “(g) ‘Environmental justice communities’ has the meaning given
2 that term in ORS 469A.400.

3 “(h) ‘Heat pump’ means an air-source or ground-source heat pump
4 with an energy efficiency rating set by the State Department of En-
5 ergy under subsection (5) of this section or a higher efficiency rating.

6 “(i) ‘Region’ means an economic development district in Oregon,
7 designated by the Economic Development Administration of the
8 United States Department of Commerce, for which a regional solutions
9 center has been established under ORS 284.754.

10 “(2) The Heat Pump Deployment Program is established within the
11 State Department of Energy. The purpose of the program is to award
12 a grant to an eligible entity for each region and federally recognized
13 Indian tribe in Oregon to:

14 “(a) Administer grant funds for that region or tribe; and

15 “(b) Provide financial assistance from grant funds to individuals
16 who reside within that region or who are members of that tribe for the
17 purchase and installation of heat pumps and related upgrades.

18 “(3)(a) To be eligible to receive a grant from the Heat Pump De-
19 ployment Program, an eligible entity must establish that it:

20 “(A) Serves or represents:

21 “(i) An environmental justice community or communities within a
22 region; or

23 “(ii) Members of a federally recognized Indian tribe in Oregon; and

24 “(B) Has the capacity to administer grant funds received under this
25 section.

26 “(b) An eligible entity applying for a grant may partner with other
27 eligible entities but, if awarded a grant, shall take a lead role in ad-
28 ministering grant funds and providing financial assistance.

29 “(c) An eligible entity that serves or represents a community that
30 has boundaries located within more than one region may apply for a

1 grant for the region within which at least 50 percent of the individuals
2 of that community reside.

3 “(d) An eligible entity that serves a specific geographical area may
4 propose, in consultation with any electric utility that serves the area,
5 that the department use alternative boundaries to define a region. The
6 department may approve the use of alternative boundaries to define a
7 region provided that a minimum percentage, as determined by the
8 department, of the eligible entity’s specific geographical area is within
9 the alternative boundaries of the region.

10 “(e) If an electric utility is awarded a grant from the Heat Pump
11 Deployment Program:

12 “(A) The electric utility may provide financial assistance from grant
13 funds only to individuals who reside within the electric utility’s service
14 area and within the region for which the electric utility is awarded a
15 grant.

16 “(B) The electric utility shall partner with one or more other eligi-
17 ble entities to provide financial assistance from grant funds to indi-
18 viduals who reside outside the electric utility’s service area and within
19 the region for which the electric utility is awarded a grant.

20 “(4) An eligible entity that is awarded a grant from the Heat Pump
21 Deployment Program shall:

22 “(a) Use the grant funds to cover up to:

23 “(A) One hundred percent of the purchase and installation costs of
24 a heat pump.

25 “(B) A percentage, as determined by the department, of the costs
26 for related upgrades that support or enable the use of a heat pump,
27 including:

28 “(i) A new electrical panel or other upgrades to the electrical sys-
29 tem of a home or building.

30 “(ii) Weatherization or other structural repairs to reduce home or

1 **building heat and cooling loss.**

2 **“(iii) Upgrades to improve the airflow of a home or building.**

3 **“(b) Prioritize the provision of financial assistance to individuals**
4 **who:**

5 **“(A) Are members of environmental justice communities.**

6 **“(B) Rely on bulk fuels or electric resistance heating.**

7 **“(C) Reside in a home or structure that does not have a functioning**
8 **heating or cooling system.**

9 **“(c) Enter into a performance agreement with the department as**
10 **described in subsection (8) of this section.**

11 **“(5) The department shall:**

12 **“(a) Award grants using available funds in the Heat Pump Deploy-**
13 **ment Fund established under section 5 of this 2022 Act.**

14 **“(b) In awarding grants, give preference to eligible entities that**
15 **have, but may not require eligible entities to have:**

16 **“(A) Experience in administering state grant programs or programs**
17 **similar to the Heat Pump Deployment Program.**

18 **“(B) Experience with community program development within a**
19 **region or with members of a tribe.**

20 **“(C) Connections to communities within a region or with members**
21 **of a tribe.**

22 **“(c) Develop criteria for allocating grant funds based on the energy**
23 **burden of residences within a region or of members of a tribe and the**
24 **climate zones of the counties that comprise that region or of tribal**
25 **lands.**

26 **“(d) Permit a review of awarded grant funds by members of com-**
27 **munities who may benefit from the Heat Pump Deployment Program.**

28 **“(e) In consultation with electric utilities, Bonneville Power Ad-**
29 **ministration and the nongovernmental entity that administers public**
30 **purpose charge moneys collected under ORS 757.612, set the minimum**

1 energy efficiency rating that a heat pump must have to be eligible for
2 grant funds. The minimum energy efficiency rating for a heat pump
3 set by the department must be equal to or greater than federal energy
4 efficiency rating standards for heat pumps.

5 “(6) The department may not use moneys collected through the
6 energy resource supplier assessment required under ORS 469.421 (8) to
7 fund grants awarded under the Heat Pump Deployment Program.

8 “(7) The department may:

9 “(a) Establish a maximum amount of grant funds payable toward
10 the purchase and installation of a heat pump and related upgrades.

11 “(b) Permit the use of loans, grants, rebates or incentives offered
12 by an electric utility or other programs toward any costs of the pur-
13 chase and installation of a heat pump and related upgrades not cov-
14 ered by the Heat Pump Deployment Program.

15 “(c) Provide information to individuals receiving financial assist-
16 ance from the Heat Pump Deployment Program about other loans,
17 grants, rebates or incentives that may be offered by an electric utility
18 or other programs.

19 “(d) Develop criteria for how specific loans, grants, rebates or in-
20 centives offered by an electric utility or other programs may be used
21 toward the costs of the purchase or installation of a heat pump and
22 related upgrades.

23 “(e) Establish incentives to encourage the purchase and installation
24 of heat pumps and related upgrades that have higher efficiency
25 ratings.

26 “(f) Establish incentives for the purchase and installation of a
27 heating or cooling device that has an efficiency rating similar to or
28 higher than that of a heat pump and that provides cobenefits such as
29 improving indoor air quality or lowering an individual’s energy bur-
30 den.

1 “(g) Develop program procedures and practices that align with the
2 reporting and other requirements of loans, grants, rebates or incen-
3 tives offered by an electric utility or other programs.

4 “(h) Require, by rule, that eligible entities notify electric utilities
5 of a heat pump installation and whether grant funds may be used for
6 necessary electric distribution system upgrades associated with the
7 installation of the heat pump.

8 “(8) Upon being awarded a grant under this section, an eligible en-
9 tity shall enter into a performance agreement with the department
10 that contains provisions that:

11 “(a) Indicate the purposes for which the grant funds may be used;

12 “(b) Prohibit the eligible entity from using more than 15 percent
13 of awarded grant funds for administrative expenses and marketing
14 costs;

15 “(c) Include the repayment provisions set forth in subsection (9) of
16 this section;

17 “(d) Permit the department to conduct audits and investigations of
18 the eligible entity regarding the purposes for which grant funds have
19 been used; and

20 “(e) Require the eligible entity to provide reports as required by
21 subsection (10) of this section.

22 “(9) An eligible entity must repay to the department, in whole or
23 in part, grant funds received under this section to the extent that:

24 “(a) The eligible entity does not use the grant funds in accordance
25 with the provisions of the performance agreement executed between
26 the department and the eligible entity under subsection (8) of this
27 section; or

28 “(b) The Director of the State Department of Energy determines
29 that the eligible entity must repay all or part of the grant funds on
30 grounds of misappropriation, fraud or similar reasons after auditing

1 or investigating the eligible entity's operations and conducting a con-
2 tested case hearing under ORS 183.413 to 183.470.

3 “(10) An eligible entity that received grant funds under this section
4 shall report to the department by June 30 of each year concerning the
5 status and use of grant funds received under this section. The report
6 required under this section may not disclose the personal information
7 of the recipients of loans, grants and other financial assistance under
8 the Heat Pump Deployment Program. The report must include:

9 “(a) A detailed description of the eligible entity's use of grant funds;

10 “(b) A list of each loan, grant or other financial assistance that the
11 eligible entity has provided and, where applicable, a full accounting
12 of the repayment status of the loans;

13 “(c) The nature and amounts of the administrative expenses and
14 marketing costs the eligible entity has incurred in providing loans,
15 grants and other financial assistance under the program; and

16 “(d) Any other information required by the department.

17 “(11) The department shall adopt rules to carry out the provisions
18 of this section. The rules shall be developed in consultation with:

19 “(a) The Bureau of Labor and Industries on issues related to the
20 workforce.

21 “(b) The Building Codes Division of the Department of Consumer
22 and Business Services on issues related to building codes and com-
23 missioning.

24 “(c) The Housing and Community Services Department to ensure
25 the Heat Pump Deployment Program complements any existing pro-
26 grams or services.

27 “(d) The Department of Environmental Quality on issues of air
28 quality related to bulk fuels and to ensure the Heat Pump Deployment
29 Program complements any existing programs or services.

30 “(e) The Oregon Health Authority on any health impacts and health

1 **impact data related to the Heat Pump Deployment Program and to**
2 **ensure the program complements any existing programs or services.**

3 **“(f) Electric utilities and utility program administrators on any**
4 **impacts the Heat Pump Deployment Program may have on utility**
5 **systems or services and to ensure the program complements any ex-**
6 **isting programs, incentives or services.**

7 **“(g) Nonprofit organizations, housing providers, heat pump techni-**
8 **cians and other stakeholders as appropriate.**

9 **“SECTION 4. (1) The Heat Pump Deployment Advisory Council is**
10 **established.**

11 **“(2) The council consists of representatives from eligible entities**
12 **administering grant funds under the Heat Pump Deployment Program**
13 **established under section 3 of this 2022 Act.**

14 **“(3) The council shall study and identify:**

15 **“(a) Best practices for administering grant funds and providing fi-**
16 **nancial assistance;**

17 **“(b) Barriers to administering grant funds and providing financial**
18 **assistance; and**

19 **“(c) Opportunities for providing technical assistance.**

20 **“(4) A majority of the members of the council constitutes a quorum**
21 **for the transaction of business.**

22 **“(5) Official action by the council requires the approval of a ma-**
23 **jority of the members of the council.**

24 **“(6) The council shall elect one of its members to serve as chair-**
25 **person.**

26 **“(7) The council shall meet at times and places specified by the call**
27 **of the chairperson or of a majority of the members of the council. The**
28 **council may meet by telephone or video conference.**

29 **“(8) The council may adopt rules necessary for the operation of the**
30 **council.**

1 **“(9) Members of the council are entitled to compensation and ex-**
2 **penses as provided in ORS 292.495 from moneys in the Heat Pump De-**
3 **ployment Fund established under section 5 of this 2022 Act.**

4 **“(10) The State Department of Energy shall provide staff support**
5 **to the council.**

6 **“SECTION 5. (1) The Heat Pump Deployment Fund is established**
7 **in the State Treasury, separate and distinct from the General Fund.**
8 **Interest earned by the Heat Pump Deployment Fund shall be credited**
9 **to the fund. The fund consists of:**

10 **“(a) Moneys appropriated or otherwise transferred to the fund by**
11 **the Legislative Assembly;**

12 **“(b) Moneys received from federal, state or local sources;**

13 **“(c) Gifts, grants or other moneys contributed to the fund; and**

14 **“(d) Other amounts deposited in the fund from any source.**

15 **“(2) Moneys in the fund are continuously appropriated to the State**
16 **Department of Energy for the purpose of the Heat Pump Deployment**
17 **Program established under section 3 of this 2022 Act.**

18 **“(3) The department may use reasonable amounts from the fund,**
19 **but no more than 15 percent of the fund, necessary to:**

20 **“(a) Administer and market the Heat Pump Deployment Program;**
21 **and**

22 **“(b) Provide for the compensation and expenses of members of the**
23 **Heat Pump Deployment Advisory Council established under section 4**
24 **of this 2022 Act.**

25 **“(4) The Director of the State Department of Energy shall submit**
26 **a biennial report to the Legislative Assembly in the manner provided**
27 **by ORS 293.640 regarding the expenditures of moneys deposited in the**
28 **Heat Pump Deployment Fund, including:**

29 **“(a) A detailed description of the use of the moneys;**

30 **“(b) A detailed description of the loans, grants or other financial**

1 assistance provided from the moneys and, where applicable, an ac-
2 counting of the repayment status of the loans;

3 “(c) The nature and amounts of the administrative expenses and
4 marketing costs paid from the moneys; and

5 “(d) Indicators of program success.

6 “SECTION 6. The Director of the State Department of Energy shall
7 submit the first biennial report required under section 5 of this 2022
8 Act to the Legislative Assembly no later than December 31, 2023.

9 “SECTION 7. Section 6 of this 2022 Act is repealed on January 2,
10 2025.

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12

“APPROPRIATIONS

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14 “SECTION 8. In addition to and not in lieu of any other appropri-
15 ation, there is appropriated to the Oregon Health Authority, for the
16 biennium ending June 30, 2023, out of the General Fund, the amount
17 of \$5,000,000, for the purpose of carrying out section 1 of this 2022 Act.

18 “SECTION 9. In addition to and not in lieu of any other appropri-
19 ation, there is appropriated to the State Department of Energy, for the
20 biennium ending June 30, 2023, out of the General Fund, the amount
21 of \$10,000,000 for deposit into the Heat Pump Deployment Fund estab-
22 lished under section 5 of this 2022 Act.

23

24

“UNIT CAPTIONS

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26 “SECTION 10. The unit captions used in this 2022 Act are provided
27 only for the convenience of the reader and do not become part of the
28 statutory law of this state or express any legislative intent in the
29 enactment of this 2022 Act.

30

1 **“EFFECTIVE DATE**

2

3 **“SECTION 11. This 2022 Act being necessary for the immediate**
4 **preservation of the public peace, health and safety, an emergency is**
5 **declared to exist, and this 2022 Act takes effect on its passage.”.**

6 _____