

2021 LEGISLATIVE SUMMARY REPORT

ENERGY & ENVIRONMENT



This Legislative Summary Report highlights Energy and Environment policy measures that received a public hearing during the 2021 Regular Legislative Session. The report is organized by sub-topics and includes the measure number; the measure status: enacted [✓] or not enacted [✗]; and a brief description of the measure.

Energy and Environment policy sub-topics:

- Air Quality
- Climate
- Electric Vehicles
- Energy
- Environmental Justice
- Materials Management
- Other Legislation

Air Quality

- SB 541 ✗ Would have declared that the policy of the state is to include atmospheric carbon sequestered by lands and waters of state in calculation to determine progress towards greenhouse gas reduction goals.
- HB 2814 A ✗ Would have directed Department of Environmental Quality to study approaches to reducing diesel engine emissions attributable to indirect sources of air contamination and submit report to interim committees of Legislative Assembly related to environment no later than September 15, 2022.
- HB 3227 ✓ Prohibits Department of Consumer and Business Services from outlawing the use of safe alternative refrigerants in the state building code, provided safe alternatives meet federal regulations and installation requirements.
- HB 3372 ✓ Authorizes Department of Environmental Quality to require certain information related to history of compliance with environmental quality laws from applicant for license or permit.

Climate

- SJM 5 A ✗ Would have urged Congress to enact bipartisan climate change legislation.
- HB 2021 ✓ Requires retail electricity providers to reduce greenhouse gas emissions associated with electricity sold to Oregon consumers to 80 percent below

Climate, cont'd

baseline emissions levels by 2030, 90 percent below baseline emissions levels by 2035, and 100 percent below baseline emissions levels by 2040.

- HB 2479 A ✗ Would have modified the definition of "global warming" to include certain aerosol air contaminants, including black carbon.
- HB 3180 ✗ Would have modified and added laws related to utilities, including renewable portfolio standards, community-based renewable energy, fossil phase-out provisions, integrated clean energy implementation planning, storage requirements, utility regulation generally, and cogeneration and small power production facilities.
- HB 3278 A ✗ Would have directed the State Department of Agriculture, in partnership with Oregon State University, to study potential for developing commercial seaweed production to produce feed for livestock as means to reduce methane emissions.

Electric Vehicles

- SB 314 A ✗ Would have authorized Public Utility Commission (PUC) to allow electric companies to recover costs from retail electricity consumers for prudent infrastructure measures to support transportation electrification.
- SB 542 A ✗ Would have established Task Force on Vehicle Charging Stations.
- HB 2165 ✓ Requires electric companies that make sales of electricity to 25,000 or more retail electricity consumers in this state to collect amount from all retail electricity consumers, to be expended to support transportation electrification pursuant to plan accepted by Public Utility Commission.
- HB 2180 ✓ Requires Director of Department of Consumer and Business Services to amend state building code to require that new construction of certain buildings include provisions for electrical service capacity for specified percentage of parking spaces.

Energy

- SB 117 ✓ Authorizes Public Utility Commission to set civil penalty amounts for the transmission or distribution of gas by pipeline, or for the storage or treatment of gas.
- SB 154 ✓ Extends the sunset and modifies provisions of the solar projects incentive program.

Energy, cont'd

- SB 318 A ✗ Would have authorized Public Utility Commission to determine resource adequacy for load serving entities.
- SB 333 ✓ Directs the Oregon Department of Energy to conduct a study of the benefits of, and barriers to, renewable hydrogen production.
- SB 360 ✗ Would have exempted small modular reactors from certain siting restrictions that apply to nuclear-fueled thermal power plants.
- SB 392 A ✗ Would have directed Department of Environmental Quality to study fugitive methane emissions from natural gas production, storage, transportation, and delivery.
- SB 589 ✓ Requires Oregon Department of Energy to prepare a report identifying benefits, opportunities, and challenges of a regional transmission organization.
- SB 784 A ✗ Would have authorized public utility to seek rate recovery for operating expenses and capital costs associated with resiliency measures from retail electricity consumers or natural gas consumers.
- SB 825 ✗ Would have created an income tax credit for energy production in Oregon.
- HB 2062 ✓ Establishes energy efficiency standards for certain appliances sold or offered for sale in this state.
- HB 2063 ✓ Removes requirement that person seeking exemption from requirement to obtain site certificate for standby generation facility request exemption from Energy Facility Siting Council.
- HB 2109 ✓ Modifies definition of "renewable energy facility" for purposes of county permitting process for certain energy facilities.
- HB 2398 A ✗ Would have added Reach Code to state building code as a specialty code and would have given power of administration and interpretation of Reach Code to Director of Department of Consumer and Business Services.
- HB 2535 ✗ Would have exempted from ad valorem property taxation property constituting a hydrogen system used to produce hydrogen by electrolysis or from renewable natural gas.
- HB 3221 A ✗ Would have established the Oregon Renewable Options Program under the direction of the Public Utility Commission.
- HB 3375 ✓ Establishes goal of planning for development of up to three gigawatts of floating offshore wind energy projects within federal waters off Oregon Coast by 2030.

Environmental Justice

- SB 286 A ✗ Would have renamed the Environmental Justice Task Force as Environmental Justice Council within the Department of Environmental Quality.
- SCR 17 ✓ Establishes environmental justice framework of principles for State of Oregon.
- HB 2475 ✓ Authorizes Public Utility Commission to consider differential energy burden and other inequities of affordability in rates.
- HB 3141 ✓ Reduces public purpose charge for retail electricity consumers within service areas of electric companies and Oregon Community Power.

Materials Management

- SB 14 ✗ Would have established product stewardship program for plastic packaging and plastic food serviceware.
- SB 57 ✓ Modifies fees for disposal of hazardous wastes.
- SB 246 ✓ Modifies definition of "radioactive waste" for purposes of regulation by Oregon Department of Energy.
- SB 570 A ✗ Would have established product stewardship program for mattresses.
- SB 581 A ✗ Would have established Truth in Labeling Task Force.
- SB 582 ✓ Establishes producer responsibility program for packaging, printing and writing paper, and food serviceware.
- SB 847 A ✗ Would have established Bottle Bill Expansion, Access, and Transparency Task Force.
- HB 2395 ✓ Modifies definition of "recycled paper checkout bag" to include bags that contain nonwood renewable fiber for purposes of single-use checkout bag prohibition.
- HB 2495 A ✗ Would have revised provisions relating to chemicals in children's products.
- HB 2955 A ✗ Would have established a product stewardship program for household hazardous waste.

Other Legislation

- SB 58 ✓ Authorizes Department of Environmental Quality to add a fee to credit card transactions and a surcharge on invoices generated by the environmental data management system.
- HB 2386 ✗ Would have created the Oregon Independent Science Review Board and established an Independent Scientific Review Secretariat as the administrative section within the Institute for Natural Resources at Oregon State University.
- HB 2657 ✗ Would have required Department of Environmental Quality to approve or disapprove an application for permit within 60 days of receipt or according to the timeline established by Environmental Quality Commission for permits that required public participation.
- HB 2660 ✗ Would have required Department of Environmental Quality to create a list of charges for permits, licenses, authorizations, or services provided by the department.
- HB 3114 ✓ Appropriates funds to the Oregon Ocean Science Trust, the Oregon Department of Fish and Wildlife, and Oregon State University for the purposes related to ocean acidification and hypoxia.
- HB 3269 ✗ Would have directed Department of Environmental Quality to study and develop strategies to fund the department's emergency response program.