

D R A F T

SUMMARY

Establishes regional solutions infrastructure director within Regional Solutions Program.

Establishes Infrastructure Council. Describes duties of council. Directs council to submit report to interim committees of Legislative Assembly no later than December 31, 2023.

Establishes Interagency Infrastructure Coordination Advisory Committee. Directs Oregon Business Development Department to establish grant program for priority infrastructure projects.

Establishes Priority Infrastructure Project Fund.

Establishes Infrastructure Technical Assistance Fund.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to infrastructure; creating new provisions; amending ORS 284.754;
3 and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 284.754 is amended to read:

6 284.754. (1) The Regional Solutions Program is established within the of-
7 fice of the Governor, in collaboration with state agencies, consisting of re-
8 gional solutions centers described in subsection (2) of this section, regional
9 solutions teams described in subsection (3) of this section, [*and*] regional
10 solutions advisory committees described in subsection (4) of this section **and**
11 **the regional solutions infrastructure director described in subsection**
12 **(5) of this section.** The program shall work with state agencies, local gov-
13 ernments, public and private entities, philanthropic organizations and aca-
14 demic institutions, as appropriate, to develop and coordinate regional
15 implementation projects, identify regional priorities for community and eco-

1 nomic development, address issues and seize opportunities.

2 (2) The Regional Solutions Program includes regional solutions centers
3 located throughout this state. The centers provide a physical location for,
4 and serve as the primary place for the business and operations of, the re-
5 gional solutions teams and the regional solutions advisory committees.

6 (3)(a) Each regional solutions team shall include a regional solutions co-
7 ordinator and staff. Staff may include, but is not limited to, employees and
8 representatives of the following state agencies:

9 (A) The Department of Environmental Quality;

10 (B) The Department of Land Conservation and Development;

11 (C) The Department of Transportation;

12 (D) The Housing and Community Services Department;

13 (E) The Oregon Business Development Department; and

14 (F) Other state agencies identified by the regional solutions coordinator
15 and the regional solutions advisory committee to participate as necessary.

16 (b) Regional solutions teams shall operate in conjunction and consulta-
17 tion with regional solutions advisory committees.

18 (c) Regional solutions teams shall address community and economic de-
19 velopment by working to address regional issues, priorities and opportunities
20 and leveraging funding opportunities for sound and long-term economic
21 growth.

22 (d) The directors and staff of the state agencies listed in paragraph (a)
23 of this subsection and natural resource agencies shall work with regional
24 solutions coordinators and regional solutions teams to fulfill regional prior-
25 ities, in coordination with the office of the Governor.

26 (e) Regional solutions teams shall review and evaluate regional imple-
27 mentation project proposals submitted in consultation with regional sol-
28 utions advisory committees.

29 **(f) Under the supervision of the regional services infrastructure di-**
30 **rector, regional solutions teams shall assist in the implementation of**
31 **the unified statewide approach to federal infrastructure funding de-**

1 **veloped by the regional solutions infrastructure director.**

2 [(f)] (g) In considering, reviewing or undertaking regional implementation
3 project proposals or projects that involve significant environmental issues,
4 regional solutions coordinators shall convene all affected stakeholders with
5 the assistance of the Oregon Consensus Program established within the
6 Mark O. Hatfield School of Government for the purpose of providing alter-
7 native dispute resolution services to seek to resolve disputed issues, if any.

8 (4)(a) A regional solutions advisory committee shall be appointed for each
9 region. Each committee shall consist of a minimum of five members ap-
10 pointed by the Governor, and serving at the pleasure of the Governor, as
11 follows:

12 (A) One local convenor who represents the region, who shall serve as
13 chairperson of the committee;

14 (B) One representative recommended by the executive body of the Asso-
15 ciation of Oregon Counties;

16 (C) One representative recommended by the executive body of the League
17 of Oregon Cities;

18 (D) One person who represents local and regional business and industry
19 interests; and

20 (E) One person who represents philanthropic organizations.

21 (b) Regional solutions advisory committees shall:

22 (A) Establish regional priorities for community and economic development
23 in the region;

24 (B) Assist regional solutions coordinators and regional solutions teams
25 with obtaining, and connecting to, resources and funding; and

26 (C) Consider, review and recommend regional implementation project
27 proposals.

28 (c) In considering, reviewing and recommending regional implementation
29 project proposals under this subsection, regional solutions advisory commit-
30 tees shall consider whether the project proposal seeks to address the state's
31 economically, socially and environmentally sustainable goals and objectives

1 described in ORS 184.423.

2 (d) Members of the regional solutions advisory committees are not enti-
3 tled to compensation for the performance of official duties and responsibil-
4 ities.

5 (e) The regional solutions coordinators and regional solutions teams shall
6 provide staff to the regional solutions advisory committees as necessary to
7 allow the committees to carry out the provisions of paragraph (b) of this
8 subsection.

9 **(5) The Governor shall appoint a regional solutions infrastructure**
10 **director. The regional solutions infrastructure director shall:**

11 **(a) Develop a unified statewide approach to federal infrastructure**
12 **funding opportunities across state agencies, local governments, tribal**
13 **governments and other relevant partners;**

14 **(b) Identify best practices for infrastructure funding and develop-**
15 **ment from other states and, where appropriate, assimilate those**
16 **practices into the work of the Regional Solutions Program;**

17 **(c) Serve as chair of the Infrastructure Council created under sec-**
18 **tion 2 of this 2023 Act; and**

19 **(d) Consult with rural, remote or coastal communities, or other**
20 **environmental justice communities, as defined in ORS 182.535, to un-**
21 **derstand community needs and opportunities and develop best prac-**
22 **tices for engaging communities.**

23 **SECTION 2. (1) The Infrastructure Council is established within the**
24 **office of the Governor.**

25 **(2) The council consists of at least 15 members appointed as follows:**

26 **(a) The Governor shall appoint representatives from among quali-**
27 **fied persons as follows:**

28 **(A) At least two representatives of county governments, with one**
29 **representative from an urban part of the state and one representative**
30 **from a rural part of the state;**

31 **(B) At least two representatives of city governments, with one**

1 **representative from an urban part of the state and one representative**
2 **from a rural part of the state;**

3 **(C) At least one representative of tribal governments;**

4 **(D) At least one representative of special districts, as defined in**
5 **ORS 197.015;**

6 **(E) At least one representative of economic development districts;**

7 **(F) At least one representative of environmental justice interests;**

8 **(G) At least one individual with expertise in built infrastructure and**
9 **infrastructure planning; and**

10 **(H) At least one individual with expertise in natural infrastructure,**
11 **as defined in section 7 of this 2023 Act.**

12 **(b)(A) The President of the Senate shall appoint two members, not**
13 **from the same political party, from among the members of the Senate.**

14 **(B) The Speaker of the House of Representatives shall appoint two**
15 **members, not from the same political party, from among the members**
16 **of the House of Representatives.**

17 **(c) In addition to the members appointed under paragraph (a) of**
18 **this subsection, the Governor may appoint additional members of the**
19 **council who, in the Governor's judgment, have experience or expertise**
20 **that would benefit the work of the council.**

21 **(d) The regional solutions infrastructure director shall serve as an**
22 **ex officio member of the council.**

23 **(3) The regional solutions infrastructure director shall serve as the**
24 **chairperson of the council.**

25 **(4) A majority of the voting members of the council constitutes a**
26 **quorum for the transaction of business.**

27 **(5) Official action by the council requires the approval of a majority**
28 **of the voting members of the council.**

29 **(6) If there is a vacancy for any cause, the appointing authority**
30 **shall make an appointment to become immediately effective.**

31 **(7) The council shall meet at times and places specified by the call**

1 of the chairperson or of a majority of the voting members of the
2 council.

3 (8) The council may adopt rules necessary for the operation of the
4 council.

5 (9) Regional solutions staff shall provide staff support to the coun-
6 cil.

7 (10) Members of the Legislative Assembly appointed to the council
8 are nonvoting members of the council and may act in an advisory ca-
9 pacity only.

10 (11) Members of the council are not entitled to compensation under
11 ORS 292.495. The Governor, in the Governor's discretion, may reim-
12 burse members of the council as provided in ORS 292.495 for actual and
13 necessary travel or other expenses incurred in the performance of
14 their duties as members of the council.

15 (12) All agencies of state government, as defined in ORS 174.111, are
16 directed to assist the council in the performance of the duties of the
17 council and, to the extent permitted by laws relating to
18 confidentiality, to furnish information and advice the members of the
19 council consider necessary to perform their duties.

20 **SECTION 3. (1) The Infrastructure Council shall:**

21 (a) Advise the Governor and state agencies on ways to improve
22 Oregon's ability to access and spend federal infrastructure funding for
23 built infrastructure and natural infrastructure, as defined in section
24 7 of this 2023 Act.

25 (b) Assist the regional solutions infrastructure director in develop-
26 ing and executing a unified statewide approach to federal
27 infrastructure funding opportunities and related activities. To assist
28 the regional solutions infrastructure director, the council shall:

29 (A) Raise public awareness about infrastructure needs, challenges
30 and opportunities, funding processes and ways to engage in those
31 processes;

1 (B) Recommend investment values or projects, where appropriate;

2 (C) Facilitate the sharing of information regarding infrastructure
3 across state agencies and communities;

4 (D) Maintain a comprehensive list of infrastructure funding oppor-
5 tunities;

6 (E) Develop a statewide infrastructure information and resource
7 clearinghouse; and

8 (F) Report to the Legislative Assembly regarding infrastructure
9 funding needs and opportunities.

10 (2) The council may:

11 (a) Provide technical assistance to local governments, tribal gov-
12 ernments or other organizations for navigating available funding op-
13 portunities; and

14 (b) Create or support sector-specific infrastructure hubs by con-
15 tracting with organizations, including an association representing
16 counties, an association representing cities, an association represent-
17 ing special districts or an association representing economic develop-
18 ment districts.

19 (3) In carrying out its duties, the council shall equitably engage
20 with Oregonians from all regions of the state.

21 SECTION 4. (1) The Interagency Infrastructure Coordination Advi-
22 sory Committee is established as an advisory committee to the
23 Infrastructure Council. The committee consists of representatives of
24 the following state agencies:

25 (a) The Oregon Business Development Department;

26 (b) The Housing and Community Services Department;

27 (c) The Department of Environmental Quality;

28 (d) The Oregon Health Authority;

29 (e) The Water Resources Department;

30 (f) The State Department of Energy;

31 (g) The State Department of Fish and Wildlife;

1 (h) The Oregon Department of Aviation;

2 (i) The State Department of Agriculture;

3 (j) The State Forestry Department;

4 (k) The Oregon Watershed Enhancement Board;

5 (L) The Department of Land Conservation and Development;

6 (m) The Oregon Department of Emergency Management; and

7 (n) The Department of Human Services.

8 (2)(a) The members of the committee shall identify federal funding
9 priorities and opportunities that align with their respective agency
10 missions; and

11 (b) Develop strategies to connect Oregonians to federal funding.

12 (3) The committee shall identify opportunities to coordinate the
13 following activities for purposes of improving the ability for commu-
14 nities to apply for and receive federal funding and implement
15 infrastructure projects:

16 (a) Permitting processes where multiple permits are required to
17 implement a project;

18 (b) State funding opportunities to reduce the number and complex-
19 ity of applications needed to implement a project;

20 (c) The delivery of technical assistance to communities;

21 (d) Applications for federal funding where interagency coordination
22 is needed; and

23 (e) Streamlined plans for tribal consultation that create opportu-
24 nities to advance infrastructure goals and access funding while mini-
25 mizing additional administrative burdens.

26 (4) The committee shall meet as necessary to aid the council in the
27 performance of its duties.

28 (5) Regional solutions staff shall provide staff support to the com-
29 mittee.

30 **SECTION 5.** (1) There is established within the office of the Gover-
31 nor the Infrastructure Navigator Program to address infrastructure-

1 related issues and needs from within communities, including
2 workforce and contractor availability. The program shall consist of at
3 least one infrastructure navigator assigned to each region under the
4 Regional Solutions Program described in ORS 284.754.

5 (2) Each infrastructure navigator shall:

6 (a) Provide staff support to the regional solutions infrastructure
7 director;

8 (b) Provide surge capacity to assist state agencies with needs re-
9 lated to infrastructure projects as opportunities and needs arise and
10 as program capacity allows;

11 (c) Assist the Oregon Business Development Department with pro-
12 viding grants for priority infrastructure projects, as defined in section
13 7 of this 2023 Act, in the infrastructure navigator's respective region
14 and assist with coordinating those projects;

15 (d) Evaluate infrastructure funding gaps and funding match needs
16 within the infrastructure navigator's respective region and report
17 those gaps and needs to the to the Infrastructure Council; and

18 (e) Facilitate engagement with rural, remote or coastal communi-
19 ties, or other environmental justice communities, as defined in ORS
20 182.535.

21 (3) The Infrastructure Navigator Program shall be staffed, as far
22 as is practicable, with individuals with strong ties to the communities
23 and regions that the individuals serve. The role of an infrastructure
24 navigator is to solve problems and build capacity from within com-
25 munities.

26 (4) Infrastructure navigators shall meet collectively no less than
27 once per month to share regional perspectives, address problems and
28 communicate community needs to the regional solutions
29 infrastructure director or the Infrastructure Council.

30 (5) All agencies of state government, as defined in ORS 174.111, are
31 directed to assist infrastructure navigators in the performance of their

1 **duties and, to the extent permitted by laws relating to confidentiality,**
2 **to furnish information and advice the infrastructure navigators con-**
3 **sider necessary to perform their duties.**

4 **SECTION 6. (1) The Infrastructure Technical Assistance Fund is**
5 **established in the State Treasury, separate and distinct from the**
6 **General Fund. Interest earned by the Infrastructure Technical Assist-**
7 **ance Fund shall be credited to the fund. The fund consists of:**

8 **(a) Moneys appropriated or otherwise transferred to the fund by the**
9 **Legislative Assembly;**

10 **(b) Moneys received from federal, state or private sources;**

11 **(c) Amounts donated to the fund; and**

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

13 **(2) Moneys in the fund are continuously appropriated to the**
14 **Infrastructure Council for the purposes of carrying out section 3 (2)**
15 **of this 2023 Act.**

16 **SECTION 7. As used in this section:**

17 **(1) “Environmental justice community” has the meaning given that**
18 **term in ORS 182.535.**

19 **(2) “Natural infrastructure” means infrastructure that uses, re-**
20 **stores or emulates natural processes and:**

21 **(a) Is created through the action of natural physical, geological,**
22 **biological or chemical processes over time;**

23 **(b) Is created by human design, engineering and construction to**
24 **emulate or act in concert with natural processes; or**

25 **(c) Involves the use of plants, soils and other natural features, in-**
26 **cluding the creation, restoration or preservation of vegetated areas,**
27 **using materials appropriate to the region, to manage stormwater and**
28 **runoff, to attenuate flooding and storm surges and for other related**
29 **purposes.**

30 **(3) “Priority infrastructure project” means a natural infrastructure**
31 **project or built infrastructure project:**

- 1 **(a) With significant social, economic or environmental benefits;**
2 **(b) Where multiple utilities or services will benefit from the same**
3 **project work;**
4 **(c) With strong community support;**
5 **(d) That will provide an equitable distribution of benefits; or**
6 **(e) Where low income communities, people with disabilities or other**
7 **environmental justice communities were actively involved in the de-**
8 **velopment of the project.**

9 **(4) The Oregon Business Development Department shall establish**
10 **a program to provide grants for priority infrastructure projects to lo-**
11 **cal governments and federally recognized Indian tribes in this state.**

12 **(5) Grants under the program may be used for assessment, plan-**
13 **ning, community capacity, community engagement, technical assist-**
14 **ance, design, construction, monitoring, reporting or other activities**
15 **needed to identify, evaluate, implement and monitor priority**
16 **infrastructure projects.**

17 **(6)(a) Applications for a grant under this section shall be made in**
18 **the form and manner prescribed by the department. The department**
19 **shall forward completed applications to the regional solutions advisory**
20 **committee appointed under ORS 284.754 for the region in which the**
21 **majority of project work will occur.**

22 **(b) The regional solutions advisory committee, in consultation with**
23 **the Infrastructure Council and the infrastructure navigator for the**
24 **applicable region, shall:**

25 **(A) Review completed grant applications;**

26 **(B) Rank the grant applications based on the equitable distribution**
27 **formula and other criteria established by the department by rule under**
28 **subsection (7) of this section; and**

29 **(C) Make recommendations to the department regarding approval**
30 **of the grant applications and award amounts.**

31 **(c) After receiving and taking into account the recommendations**

1 of the council and the infrastructure navigator, the department shall
2 approve or deny a grant application. If the department denies a grant
3 application, the department shall notify the applicant in writing of the
4 reason or reasons that the grant application was denied.

5 (7) The department shall adopt rules for the administration of the
6 grant program established under this section. Rules adopted under this
7 subsection may include, but need not be limited to:

8 (a) A formula to equitably distribute grants under the program. The
9 formula must give priority to areas:

10 (A) With high rates of poverty;

11 (B) With limited existing infrastructure;

12 (C) Where existing infrastructure or lack of infrastructure is caus-
13 ing health or safety issues; and

14 (D) Where infrastructure is at an elevated risk of natural disaster
15 and in need of upgrades to improve resiliency;

16 (b) Criteria for ranking grant applications;

17 (c) Requirements for grant applications and the grant application
18 process;

19 (d) Requirements setting forth the amount of matching funds a
20 grant applicant must provide to be eligible to receive a grant;

21 (e) A schedule for when grant applications are due and when grants
22 will be awarded;

23 (f) Reporting requirements; or

24 (g) Provisions setting forth how the department will verify that
25 grant funds have been used for the purposes for which the grant was
26 awarded or evaluate the performance of projects funded by the pro-
27 gram.

28 SECTION 8. (1) The Priority Infrastructure Project Fund is estab-
29 lished in the State Treasury, separate and distinct from the General
30 Fund. Interest earned by the Priority Infrastructure Project Fund
31 shall be credited to the fund. The fund consists of:

1 (a) Moneys appropriated or otherwise transferred to the fund by the
2 Legislative Assembly;

3 (b) Moneys received from federal, state or private sources;

4 (c) Amounts donated to the fund; and

5 (d) Other amounts deposited in the fund from any source.

6 (2) Moneys in the fund are continuously appropriated to the Oregon
7 Business Development Department for the purposes of carrying out
8 section 7 of this 2023 Act.

9 **SECTION 9.** (1) The Infrastructure Council shall submit a report in
10 the manner provided by ORS 192.245, and may include recommen-
11 dations for legislation, to the appropriate interim committees of the
12 Legislative Assembly no later than December 31, 2023.

13 (2) The report required under subsection (1) of this section shall
14 describe the following:

15 (a) Steps taken by the council to implement a unified statewide
16 approach to federal infrastructure funding.

17 (b) Funding gaps or needed matching funds identified by
18 stakeholders in each region of the state.

19 (c) Best practices from other states in coordinating infrastructure
20 investments.

21 (d) Barriers faced by Oregon communities in accessing and spending
22 federal infrastructure funding and specific recommendations to ad-
23 dress those barriers.

24 (e) Infrastructure needs and opportunities for Oregon communities
25 that could be supported proactively by federal infrastructure funding.

26 (f) The status of efforts to develop interagency coordination and a
27 description of opportunities for improved coordination.

28 (3) The council may contract with a third party to assist in pre-
29 paring the report.

30 **SECTION 10.** (1) The Infrastructure Council shall develop the
31 statewide infrastructure information and resource clearinghouse de-

1 scribed in section 3 (1)(b)(E) of this 2023 Act no later than December
2 31, 2023.

3 (2) The council may contract with a third party to assist in the
4 development of the statewide infrastructure information and resource
5 clearinghouse.

6 SECTION 11. Section 9 of this 2023 Act is repealed on January 2,
7 2024.

8 SECTION 12. In addition to and not in lieu of any other appropri-
9 ation, there is appropriated to the Infrastructure Council, for the
10 biennium beginning July 1, 2023, out of the General Fund, the amount
11 of \$_____, for deposit in the Infrastructure Technical Assistance Fund
12 established under section 6 of this 2023 Act.

13 SECTION 13. In addition to and not in lieu of any other appropri-
14 ation, there is appropriated to the Oregon Business Development De-
15 partment, for the biennium beginning July 1, 2023, out of the General
16 Fund, the amount of \$_____, for deposit in the Priority Infrastructure
17 Project Fund established under section 8 of this 2023 Act.

18 SECTION 14. This 2023 Act being necessary for the immediate
19 preservation of the public peace, health and safety, an emergency is
20 declared to exist, and this 2023 Act takes effect on its passage.

21
