

**HB 4059 A STAFF MEASURE SUMMARY**  
**House Committee On Environment and Natural Resources**

**Carrier:** Rep. Marsh

**Action Date:** 02/09/22

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 7-3-0-0

**Yeas:** 7 - Helm, Hudson, Marsh, Pham, Smith DB, Valderrama, Wilde

**Nays:** 3 - Goodwin, Moore-Green, Owens

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Erin Pischke, LPRO Analyst

**Meeting Dates:** 2/7, 2/9

**WHAT THE MEASURE DOES:**

Redefines “covered project” for purposes of contractor labor standards as a renewable energy generation, sequestration, or storage facility with a capacity rating of two megawatts or greater, except for a community solar facility with a capacity rating above three megawatts. Adds the definition of “community solar project.” Clarifies good faith exception to required total work hours performed by apprentices. Exempts contracts and subcontracts with tribal government, agent, or instrumentality of Oregon Indian tribe for covered projects located in whole or in part on the tribe’s reservation or on land held in trust by the United States for the benefit of the tribe, from meeting this Act’s standards unless the tribal government elects to adopt the standards. Requires electric company request for resource procurement proposals, subject to competitive bidding requirements adopted by the Public Utility Commission (PUC), to include information regarding labor standards. Requires the successful bidder to provide a copy of the attestation or declaration or executed project labor agreement within 30 days from the date construction begins. Authorizes Oregon Department of Energy to report on attestation or declaration or project labor agreement to the PUC upon request. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Apprenticeship program requirements
- Good faith exception
- Legal liability of attestation, declaration, or executed project labor agreement

**EFFECT OF AMENDMENT:**

Replaces the measure with the exception of “Clarifying good faith exception to required total work hours performed by apprentices” and emergency declaration.

**BACKGROUND:**

In 2021, the Legislative Assembly enacted House Bill 2021 which set targets for certain utilities and electricity suppliers to provide emissions-free electricity by 2040. The bill also outlined responsible contractor labor standards, which require contractors of large-scale renewable energy generation, sequestration, or storage facility projects with a capacity rating of 10 megawatts or greater to meet specific labor standards.

House Bill 4059 A would redefine “covered project” as a renewable energy generation, sequestration, or storage facility with a capacity rating of two megawatts or greater, except for a community solar facility with a capacity rating above three megawatts. The Act would clarify application of labor standards for renewable energy generation, sequestration, or storage facilities.