

House Bill 3349

Sponsored by Representatives HELM, OWENS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

- 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, 2024.
- Establishes Interagency Infrastructure Coordination Committee.
- Establishes Community Infrastructure Assistance Program within Oregon Business Development Department to provide grants for priority infrastructure projects.
- Establishes Community Infrastructure Fund.
- Declares emergency, effective on passage.

A BILL FOR AN ACT

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

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 office of the Governor, in
7 collaboration with state agencies, consisting of regional solutions centers described in subsection (2)
8 of this section, regional solutions teams described in subsection (3) of this section, [*and*] regional
9 solutions advisory committees described in subsection (4) of this section **and the regional solutions**
10 **infrastructure director described in subsection (5) of this section**. The program shall work with
11 state agencies, **tribal governments**, local governments, public and private entities, philanthropic
12 organizations, **conservation organizations, community-based organizations, environmental**
13 **justice communities, as defined in ORS 182.535**, and academic institutions, as appropriate, to
14 develop and coordinate regional implementation projects, identify regional priorities for community
15 and economic development, address issues and seize opportunities.

16 (2) The Regional Solutions Program includes regional solutions centers located throughout this
17 state. The centers provide a physical location for, and serve as the primary place for the business
18 and operations of, the regional solutions teams and the regional solutions advisory committees.

19 (3)(a) Each regional solutions team shall include a regional solutions coordinator and staff. Staff
20 may include, but is not limited to, employees and representatives of the following state agencies:

21 (A) The Department of Environmental Quality;

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

23 (C) The Department of Transportation;

24 (D) The Housing and Community Services Department;

25 (E) The Oregon Business Development Department; [*and*]

26 **(F) The Water Resources Department; and**

27 [*F*] (G) Other state agencies identified by the regional solutions coordinator and the regional
28 solutions advisory committee to participate as necessary.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (b) Regional solutions teams shall operate in conjunction and consultation with regional sol-
 2 utions advisory committees.

3 (c) Regional solutions teams shall address community and economic development by working to
 4 address regional issues, priorities and opportunities and leveraging funding opportunities for sound
 5 and long-term economic growth.

6 (d) The directors and staff of the state agencies listed in paragraph (a) of this subsection and
 7 natural resource agencies shall work with regional solutions coordinators and regional solutions
 8 teams to fulfill regional priorities, in coordination with the office of the Governor.

9 (e) Regional solutions teams shall review and evaluate regional implementation project proposals
 10 submitted in consultation with regional solutions advisory committees.

11 **(f) Under the supervision of the regional services infrastructure director, regional sol-
 12 utions teams shall assist in the implementation of the cohesive statewide approach to federal
 13 infrastructure funding developed by the regional solutions infrastructure director in consul-
 14 tation with the Infrastructure Council established under section 2 of this 2023 Act.**

15 [(f)] (g) In considering, reviewing or undertaking regional implementation project proposals or
 16 projects that involve significant environmental issues, regional solutions coordinators shall convene
 17 all affected stakeholders with the assistance of the Oregon Consensus Program established within
 18 the Mark O. Hatfield School of Government for the purpose of providing alternative dispute resolu-
 19 tion services to seek to resolve disputed issues, if any.

20 (4)(a) A regional solutions advisory committee shall be appointed for each region. Each com-
 21 mittee shall consist of a minimum of [*five*] **nine** members appointed by the Governor, and serving
 22 at the pleasure of the Governor, as follows:

23 (A) One local convenor who represents the region, who shall serve as chairperson of the com-
 24 mittee;

25 (B) One representative recommended by the executive body of the Association of Oregon Coun-
 26 ties;

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

28 (D) One person who represents local and regional business and industry interests; [*and*]

29 (E) One person who represents philanthropic organizations[.];

30 **(F) One person who represents environmental justice communities, as defined in ORS
 31 182.535;**

32 **(G) One person who represents a community-based organization;**

33 **(H) One person who represents a regional or local conservation organization; and**

34 **(I) One person who represents a local natural resources industry.**

35 (b) Regional solutions advisory committees shall:

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

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

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

40 (c) In considering, reviewing and recommending regional implementation project proposals under
 41 this subsection, regional solutions advisory committees shall consider whether the project proposal
 42 seeks to address the state's economically, socially and environmentally sustainable goals and objec-
 43 tives described in ORS 184.423.

44 (d) Members of the regional solutions advisory committees are not entitled to compensation for
 45 the performance of official duties and responsibilities.

1 (e) The regional solutions coordinators and regional solutions teams shall provide staff to the
2 regional solutions advisory committees as necessary to allow the committees to carry out the pro-
3 visions of paragraph (b) of this subsection.

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

6 **(a) Work with the Infrastructure Council to develop a cohesive statewide approach to**
7 **federal infrastructure funding opportunities across state agencies, local governments, tribal**
8 **governments and other relevant partners;**

9 **(b) Identify best practices for infrastructure funding and development from other states**
10 **and, where appropriate, assimilate those practices into the work of the Regional Solutions**
11 **Program;**

12 **(c) Serve as chair of the Infrastructure Council; and**

13 **(d) To understand community needs and opportunities, and to develop best practices for**
14 **engaging communities and developing projects that benefit those communities, consult with:**

15 **(A) Communities with limited infrastructure;**

16 **(B) Communities with infrastructure in need of critical upgrades;**

17 **(C) Communities that have experienced historic disinvestment; and**

18 **(D) Tribal governments.**

19 **(e) Consult with the Bureau of Labor and Industries, the Oregon Business Development**
20 **Department and experts in workforce development to ensure that there is a sufficient and**
21 **skilled local workforce to help perform infrastructure projects.**

22 **SECTION 2. (1) The Infrastructure Council is established within the office of the Gover-**
23 **nor.**

24 **(2) The council consists of at least 16 members appointed as follows:**

25 **(a) The Governor shall appoint representatives from among qualified persons as follows:**

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

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

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

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

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

33 **(F) At least one individual with expertise in community engagement and the needs of**
34 **communities with historic disinvestment;**

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

37 **(H) At least one individual with expertise in natural infrastructure, as defined in section**
38 **7 of this 2023 Act; and**

39 **(I) At least one representative of the infrastructure workforce or an individual with ex-**
40 **pertise in workforce development.**

41 **(b)(A) The President of the Senate shall appoint two members, not from the same poli-**
42 **tical party, from among the members of the Senate.**

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

45 **(c) In addition to the members appointed under paragraph (a) of this subsection, the**

1 Governor may appoint additional members of the council who, in the Governor's judgment,
2 have experience or expertise that would benefit the work of the council.

3 (d) The regional solutions infrastructure director shall serve as an ex officio member of
4 the council.

5 (3) The regional solutions infrastructure director shall serve as the chairperson of the
6 council.

7 (4) A majority of the voting members of the council constitutes a quorum for the trans-
8 action of business.

9 (5) Official action by the council requires the approval of a majority of the voting mem-
10 bers of the council.

11 (6) If there is a vacancy for any cause, the appointing authority shall make an appoint-
12 ment to become immediately effective.

13 (7) The council shall meet at times and places specified by the call of the chairperson or
14 of a majority of the voting members of the council.

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

16 (9) Regional solutions staff shall provide staff support to the council.

17 (10) Members of the Legislative Assembly appointed to the council are nonvoting mem-
18 bers of the council and may act in an advisory capacity only.

19 (11) Members of the council are not entitled to compensation under ORS 292.495. The
20 Governor, in the Governor's discretion, may reimburse members of the council as provided
21 in ORS 292.495 for actual and necessary travel or other expenses incurred in the performance
22 of their duties as members of the council.

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

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

28 (a) Advise the Governor and state agencies on ways to improve Oregon's ability to access
29 and spend federal infrastructure funding for built infrastructure and natural infrastructure,
30 as defined in section 7 of this 2023 Act, and on how to distribute the associated benefits
31 equitably across the state.

32 (b) Assist the regional solutions infrastructure director in developing and executing a
33 cohesive statewide approach to federal infrastructure funding opportunities and related ac-
34 tivities. To assist the regional solutions infrastructure director, the council shall:

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

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

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

40 (D) Maintain a comprehensive list of infrastructure funding opportunities;

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

42 (F) Facilitate the development of a strategy to ensure a sufficient and skilled workforce
43 to complete infrastructure projects; and

44 (G) Report to the Legislative Assembly regarding infrastructure funding needs and op-
45 portunities.

1 **(2) The council may:**

2 **(a) Advise the Oregon Business Development Department on the creation, development**
3 **and administration of the Community Infrastructure Assistance Program established under**
4 **section 7 of this 2023 Act;**

5 **(b) Provide technical assistance to local governments, tribal governments or other or-**
6 **ganizations for navigating available funding opportunities; and**

7 **(c) Create or support sector-specific infrastructure hubs by contracting with organiza-**
8 **tions, including an association representing counties, an association representing cities, an**
9 **association representing special districts or an association representing economic develop-**
10 **ment districts.**

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

13 **SECTION 4.** **(1) The Interagency Infrastructure Coordination Committee is established**
14 **as an advisory committee to the Infrastructure Council established under section 2 of this**
15 **2023 Act. The committee consists of representatives of the following state agencies:**

16 **(a) The Oregon Business Development Department;**

17 **(b) The Housing and Community Services Department;**

18 **(c) The Department of Environmental Quality;**

19 **(d) The Oregon Health Authority;**

20 **(e) The Water Resources Department;**

21 **(f) The State Department of Energy;**

22 **(g) The State Department of Fish and Wildlife;**

23 **(h) The Oregon Department of Aviation;**

24 **(i) The State Department of Agriculture;**

25 **(j) The State Forestry Department;**

26 **(k) The Oregon Watershed Enhancement Board;**

27 **(L) The Department of Land Conservation and Development;**

28 **(m) The Oregon Department of Emergency Management;**

29 **(n) The Bureau of Labor and Industries; and**

30 **(o) The Department of Human Services.**

31 **(2)(a) The members of the committee shall identify federal funding priorities and oppor-**
32 **tunities that align with their respective agency missions; and**

33 **(b) Develop strategies to equitably connect Oregonians across the state to federal fund-**
34 **ing.**

35 **(3) The committee shall identify opportunities to assist with the coordination of the fol-**
36 **lowing activities for purposes of improving the ability for communities to apply for and re-**
37 **ceive federal funding and implement infrastructure projects:**

38 **(a) Permitting processes where multiple permits are required to implement a project;**

39 **(b) State funding opportunities to reduce the number and complexity of applications**
40 **needed to implement a project;**

41 **(c) The delivery of technical assistance to communities;**

42 **(d) Applications for federal funding where interagency coordination is needed; and**

43 **(e) Streamlined plans for tribal consultation that create opportunities to advance**
44 **infrastructure goals and access funding while minimizing additional administrative burdens.**

45 **(4) The committee shall meet as necessary to aid the council in the performance of its**

1 **duties.**

2 (5) **Regional solutions staff shall provide staff support to the committee.**

3 **SECTION 5. (1) There is established within the office of the Governor the Infrastructure**
4 **Navigator Program to address infrastructure-related issues and needs from within commu-**
5 **nities, including workforce and contractor availability. The program shall consist of at least**
6 **one infrastructure navigator assigned to each region under the Regional Solutions Program**
7 **described in ORS 284.754.**

8 (2) **Each infrastructure navigator shall:**

9 (a) **Provide staff support to the regional solutions infrastructure director;**

10 (b) **Provide surge capacity to assist state agencies with needs related to infrastructure**
11 **projects as opportunities and needs arise and as program capacity allows;**

12 (c) **Assist the Oregon Business Development Department with providing grants for pri-**
13 **ority infrastructure projects, as defined in section 7 of this 2023 Act, in the infrastructure**
14 **navigator’s respective region and assist with coordinating those projects;**

15 (d) **Assist with workforce contractor development in the infrastructure navigator’s re-**
16 **spective region;**

17 (e) **Evaluate infrastructure funding gaps and funding match needs within the**
18 **infrastructure navigator’s respective region and report those gaps and needs to the**
19 **Infrastructure Council established under section 2 of this 2023 Act; and**

20 (f) **Facilitate engagement with communities that have experienced historic disinvestment,**
21 **that have infrastructure in need of critical upgrades or that have limited infrastructure.**

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

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

29 (5) **All agencies of state government, as defined in ORS 174.111, are directed to assist**
30 **infrastructure navigators in the performance of their duties and, to the extent permitted by**
31 **laws relating to confidentiality, to furnish information and advice the infrastructure**
32 **navigators consider necessary to perform their duties.**

33 **SECTION 6. (1) The Community Infrastructure Fund is established in the State Treasury,**
34 **separate and distinct from the General Fund. Interest earned by the Community**
35 **Infrastructure Fund shall be credited to the fund. The fund consists of:**

36 (a) **Moneys appropriated or otherwise transferred to the fund by the Legislative Assem-**
37 **bly;**

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

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

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

41 (2) **Moneys in the fund are continuously appropriated to the Oregon Business Develop-**
42 **ment Department for the purpose of carrying out section 7 of this 2023 Act.**

43 **SECTION 7. (1) As used in this section:**

44 (a) **“Natural infrastructure” means infrastructure that uses, restores or emulates na-**
45 **tural processes and:**

1 (A) Is created through the action of natural physical, geological, biological or chemical
2 processes over time;

3 (B) Is created by human design, engineering and construction to emulate or act in con-
4 cert with natural processes; or

5 (C) Involves the use of plants, soils and other natural features, including the creation,
6 restoration or preservation of vegetated areas, using materials appropriate to the region, to
7 manage stormwater and runoff, to attenuate flooding and storm surges and for other related
8 purposes.

9 (b) "Priority infrastructure project" means a natural infrastructure project or built
10 infrastructure project:

11 (A) With significant social, economic or environmental benefits;

12 (B) Where multiple utilities or services will benefit from the same project work;

13 (C) With strong community support;

14 (D) That will provide an equitable distribution of benefits; or

15 (E) Where the communities that will benefit from the project were actively involved in
16 the development of the project.

17 (2) The Community Infrastructure Assistance Program is established within the Oregon
18 Business Development Department. The purpose of the Community Assistance
19 Infrastructure Program is to:

20 (a) Provide grants to local governments and tribal governments for assessment, planning,
21 community capacity, community engagement, workforce and contractor development, design,
22 construction, monitoring, reporting or other activities needed to identify, evaluate, imple-
23 ment and monitor priority infrastructure projects.

24 (b) Provide grants to local governments and tribal governments for technical assistance
25 related to the development of priority infrastructure projects within their communities.

26 (3)(a) Applications for a grant under this section shall be made in the form and manner
27 prescribed by the department. The department shall forward completed applications to the
28 regional solutions advisory committee appointed under ORS 284.754 for the region in which
29 the majority of project work will occur.

30 (b) The regional solutions advisory committee, in consultation with the Infrastructure
31 Council established under section 2 of this 2023 Act and the infrastructure navigator for the
32 applicable region, shall:

33 (A) Review completed grant applications;

34 (B) Rank the grant applications based on the equitable distribution formula and other
35 criteria established by the department by rule under subsection (4) of this section; and

36 (C) Make recommendations to the department regarding approval of the grant applica-
37 tions and award amounts.

38 (c) After receiving and taking into account the recommendations of the council and the
39 infrastructure navigator, the department shall approve or deny a grant application. If the
40 department denies a grant application, the department shall notify the applicant in writing
41 of the reason or reasons that the grant application was denied.

42 (4) The department shall adopt rules for the administration of the grant program estab-
43 lished under this section. Rules adopted under this subsection may include, but need not be
44 limited to:

45 (a) A formula to distribute grants under the program equitably across the state. The

1 formula must give priority to areas:

2 (A) With high rates of poverty;

3 (B) With limited existing infrastructure;

4 (C) Where existing infrastructure or lack of infrastructure is causing health or safety
5 issues; and

6 (D) Where infrastructure is at an elevated risk of natural disaster and in need of up-
7 grades to improve resiliency;

8 (b) Criteria for ranking grant applications;

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

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

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

13 (f) Reporting requirements; or

14 (g) Provisions setting forth how the department will verify that grant funds have been
15 used for the purposes for which the grant was awarded or evaluate the performance of
16 projects funded by the program.

17 **SECTION 8.** (1) The Infrastructure Council established under section 2 of this 2023 Act
18 shall submit a report in the manner provided by ORS 192.245, and may include recommen-
19 dations for legislation, to the appropriate interim committees of the Legislative Assembly
20 no later than December 31, 2024.

21 (2) The report required under this section shall describe the following:

22 (a) Steps taken by the council to implement a cohesive statewide approach to federal
23 infrastructure funding.

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

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

27 (d) Barriers faced by Oregon communities in accessing and spending federal
28 infrastructure funding and specific recommendations to address those barriers.

29 (e) Infrastructure needs and opportunities for Oregon communities that could be sup-
30 ported proactively by federal infrastructure funding.

31 (f) The status of efforts to develop interagency coordination and a description of oppor-
32 tunities for improved coordination.

33 (3) The council may contract with a third party to assist in preparing the report.

34 **SECTION 9.** (1) The Infrastructure Council established under section 2 of this 2023 Act
35 shall develop the statewide infrastructure information and resource clearinghouse described
36 in section 3 (1)(b)(E) of this 2023 Act no later than December 31, 2023.

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

39 **SECTION 10.** Section 8 of this 2023 Act is repealed on January 2, 2025.

40 **SECTION 11.** In addition to and not in lieu of any other appropriation, there is appro-
41 priated to the Oregon Business Development Department, for the biennium beginning July
42 1, 2023, out of the General Fund, the amount of \$_____, for deposit in the Community
43 Infrastructure Fund established under section 6 of this 2023 Act.

44 **SECTION 12.** This 2023 Act being necessary for the immediate preservation of the public
45 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect

1 **on its passage.**

2
