



Oregon 2023 End of Session Report

Executive Summary

Oregon's 82nd Legislative Assembly finished its 2023 legislative session eight hours ahead of the Constitutional deadline, a traditional end that many doubted would happen after a historically long walk-out placed the Legislature at a standstill for 42 days. Transportation Electrification continued to be a major topic of discussion across the session.

It was a tale of two sessions – the first few months were characterized by non-partisan collaborative work that produced landmark investments in Oregon's semiconductor ecosystem and a major investment in housing supply and services. The second half of the session had a remarkably different tenor. Partisan rancor, conflict, and finally complete breakdown mark the picture of the Legislature since mid-session. While significant legislation and investments ultimately passed in the final days of session – they were overshadowed by the breakdown in the process that preceded.

Forth was very active throughout the session, providing testimony and support to a variety of bills, while focusing our efforts heavily on the Oregon Clean Vehicle Rebate Program (OCVRP). More detail on the bills is provided below.

As session began, fears of a threadbare budget toned down expectations about new funding in the 2023-2025 biennium. However, the June economic and revenue forecast revealed an additional \$1.8 billion in resources for the Legislature to spend this session, exceeding expectations. Despite the forecast, a 2.5% cut on current agency spending is set to take effect on July 1st to prioritize dollars in the State's most pressing issues. Major investments in housing, semiconductors, mental health, bridges, and early learning dominated the new spending.

Forth's Legislative Priorities

[HB 2613](#) Zero-Emission Incentive Fund (Support): Failed

Appropriates \$30,000,000 to Department of Environmental Quality for deposit in Zero-Emission Incentive Fund.

Conceived and designed by Forth, HB 2613 was introduced by Rep. Susan McLain (D Hillsboro) and referred to the Joint Committee on Transportation. HB 2613 was sponsored by seventeen legislators from both the Senate and House Chamber.

Forth began meeting with legislators and stakeholders once the 2023 Legislative Session began to familiarize them with OCVRP's additional need for funding and at the time, looming program suspension. HB 2613 would deposit \$30 million to the Zero-Emission Incentive Fund for issuance of rebates through the Oregon Clean Vehicle Rebate Program (OCVRP).

Forth led a coalition to advance HB 2613 through the legislative process. The coalition included Oregon Environmental Council, Climate Solutions, IBEW 48, Renewable Hydrogen Alliance, The Environmental Center, City of Bend, PGE, Sustainable NW, Emerald Valley EV Association, Eugene Springfield Interfaith Earthkeepers, Metro Climate Action Team and Douglas County Global Warming Commission. The coalition joined Forth in testifying in support of HB 2613 during the public hearing in the Joint Committee, at DEQ's 23-25 Budget public hearing before the Joint Ways and Means Natural Resources Subcommittee, and throughout the Way and Means Statewide Roadshow.

HB 2613 passed the Joint Committee on Transportation 9 – 3 (Rep. Boshart Davis, Rep. Helfrich, Sen. Findley). Notably, Rep. Kevin Mannix (R-Salem) joined Democrat committee members in voting yes. HB 2613 remained in the Joint Committee on Ways and Means upon adjournment. As the Ways and Means Co-Chairs were preparing for a budget deficit in the 23-25 biennium, they introduced a new requirement for funding requests where legislators were requested to submit their top three funding requests. Rep. McLain included HB 2613 among her personal top three requests and as a priority as Co-Chair of the Transportation Committee. Additional Ways and Means advocacy include a Forth led legislative letter of support which signed by ten legislators and Rep. McLain's inclusion of HB 2613 on her personal request letter for funding, which profiled HB 2613 as an essential multi-modal transportation investment for the session.

Despite Forth's strong efforts in securing legislative champions and building a broad coalition of stakeholders in support, the \$30 million appropriation to the OCVRP was not included in the end of session budget bill ([SB 5506](#)).

Transportation Electrification

[HB 2571- E-Bike Rebate \(Support\): Failed](#)

Directs Department of Environmental Quality to establish program for providing rebates to qualifying individuals who purchase electric assisted bicycles

Chief Sponsored by Rep. Dacia Grayber (D-Tigard) and Rep. Mark Gamba (D-Milwaukie), HB 2571 would have established a new e-bike rebate at DEQ. The House Committee on Climate, Energy, and Environment received supportive testimony from the Multnomah County, City of Hood River, Hood River County School District, City of Tigard, City of Eugene, City of Bend, City of Portland, Climate Solutions, Oregon Environmental Center and numerous bike advocates. The House committee adopted the [-2 amendment](#) and unanimously moved the bill to the Joint Committee on Ways and Means. HB 2571 remained in committee upon adjournment. The

Forth joined the E-Bikes for All coalition. Behind the scenes, Forth's feedback and input was requested by Rep. Grayber on draft amendments to streamline implementation and ensure that while similar in design, the e-bike and EV rebate would be two standalone rebate programs.

Electric Vehicle Taxation

HB 3297- Highly Efficient Vehicles Road Use Charge (Monitor): Failed

Imposes mandatory per-mile road usage charge for registered owners and lessees of passenger vehicles of model year 2028 or later that have rating of 30 miles per gallon or greater, beginning July 1, 2027, and then of passenger vehicles of model year 2036 or later that have rating of 20 miles per gallon or greater, beginning July 1, 2035.

Chief sponsored by Rep. Lively (D-Springfield), HB 3297 would establish a mandatory RUC for certain vehicles. Rep. Lively introduces this concept every long session to facilitate conversation about modernizing Oregon's transportation funding system. Forth submitted neutral [testimony](#) providing suggestions to HB 3297. The bill only scheduled for a public hearing and remained in committee upon adjournment.

However, Joint Transportation Co-Chair Rep. McLain stated that a RUC will likely be part of 2025 Transportation Package conversations and the public hearing was to introduce the concept for discussion.

Electric Vehicle Battery and Renewable Energy Facilities Decommissioning

SB 64- Electric Vehicle Battery and Renewable Energy Projects Disposal (Monitor): Failed

Requires Department of Environmental Quality to study disposal of electric vehicle batteries and batteries used to store energy in wind or solar renewable energy facilities.

Chief Sponsored by Sen. Lynn Findley (R-Vale) and Rep. Mark Owens (R-Crane), SB 64 as introduced would have directed DEQ to study the disposal of batteries from electric vehicles and renewable energy facilities. During the Public Hearing in the Senate Committee on Energy and Environment, Sen. Findley and Rep. Owens argued that the State needs to begin preparing for battery end-of-life and that action is urgent, given the increased adoption of EVs and demand for renewable energy. Stakeholders including Verde, OSSIA and Climate Solutions urged the Committee to consider in addition to disposal, reuse and recycling. **Renewable Northwest** testified in person and submitted written [testimony](#). The Committee adopted the [-1 amendment](#) which removes batteries from solar and wind facilities to focus exclusively on electric vehicle batteries and establishes an 11-member task force to study and make recommendations for their disposal and recycling. Sen. Jeff

Golden (D-Ashland) raised concerns about the need for Oregon to do its own study as many Federal agencies and other states are actively studying the issue. SB 64 did not advance and remained in committee upon adjournment. Instead, the committee directed LPRO to identify recent Federal Actions and activity from neighboring states.

This policy area continues to be of interest to the Legislature. The House Committee on Climate, Energy, and Environment held an informational meeting on “Renewable Energy Facility and Infrastructure Maintenance and Recycling”. Invited to present were Rep. Mark Owens (R-Crane), Rep. Christine Goodwin (R-Canyonville), Rep. Anna Scharf (R-Amity), LPRO, American Clean Power Association, a landowner leasing to Biglow Canyon Wind Farm, PGE, ODOE, and Solar Energy Industries Association. Rep. Pam Marsh (D Ashland) has announced she will be convening an interim workgroup to continue these discussions.

Transportation

HB 2614- TNC ZEV Fleet Adoption Goals (Support): Failed

Requires transportation network companies to meet or exceed specified targets for percentage of service miles provided by zero-emission vehicles.

Introduced by Rep. McLain (D-Hillsboro), at the request of Lyft. HB 2614 would have established ZEV fleet adoption goals for TNCs with its primary mechanism to do so being an increase to the OCVRP’s fleet cap. Lyft has introduced near identical legislation in previous sessions, all of which have been unsuccessful. At the request of Rep. McLain, Forth continued to negotiate HB 2614 with Lyft and it resulted in the a [-3 amendment](#), which removes the OCVRP fleet cap increase. The -3-amendment brought Forth from a position of opposed to support.

However, HB 2614 still faced additional stakeholder concerns about implementation, fee collection, and distribution. HB 2614 was moved without recommendation to the Joint Committee on Transportation where it failed to receive action.

Labor

SB 582- Electric Vehicle Infrastructure Training Program (Support): Passed

Requires state agency that authorizes or funds, in whole or in part, installation of electric vehicle charging system located on customer's side of meter to require installing contractor or contractors to hold all legally required licenses and Electric Vehicle Infrastructure Training Program or equivalent training program certification, and one or more electricians who hold Electric Vehicle

Infrastructure Training Program or equivalent training program certification to supervise or participate in installation.

Introduced by Sen. Kate Lieber (D-Beaverton/SW Portland) at the request of IBEW 48, SB 582 requires the EVITP for EV charging installation that is funded or authorized by a state agency. During the interim, Forth met with IBEW 48, Charge Point and Tesla to understand individual policy perspectives on EVITP. Ultimately, **Forth** testified in support before the Senate Committee and submitted [testimony](#). The negotiated [-1 amendment](#) and [-3 amendment](#) moved ChargePoint, Tesla, Rivian and EVCA to neutral. PGE and Climate Solutions supported the bill. SB 582 passed the Senate Floor 19-6 and the House Floor 34- 20.

Energy & Environment

[HB 3409](#); [HB 3630](#) - **Climate Package (Support): Passed**

The Climate Package totaled 20 individual policy concepts. In all, the package invests \$90 million to maximize federal funding, increase energy efficiency and resilience from extreme weather events, and build a reliable energy system (including additional renewable energy development and local resiliency) The package was designed and led by Senate President Rob Wagner (D-Lake Oswego), House Speaker Dan Rayfield (D-Corvallis), Ways and Means Natural Resources Co-Chairs Senator Michael Dembrow and Representative Khanh Pham (D-SE Portland), Senate Majority Leader Kate Lieber (D-SW Portland/Beaverton) and House Climate, Energy & Environment Committee Chair Representative Pam Marsh (D-Ashland).

The Climate Package focused on emissions reductions from the built environment while establishing incentives for natural environment solutions and zero-emission medium- and heavy-duty vehicles. Central to the built environment were the policies that emerged from the 2022 Interim Resilient Efficient Buildings “Rebuild” Task Force, co-chaired by Senator Lieber and Representative Pam Marsh. **The REBuild Package** (formerly SB 868, SB 869, SB 870, and SB 871) includes the establishment of a building performance standard (BPS), incentive fund for early BPS adopters, heat pump adoption goal of 500,000 by 2035, requires state agency coordination on energy efficiency, codifies EO 20-04 greenhouse gas reduction standards for new buildings, and directs state agencies to lead by in building energy use. New policies and grant programs include the: **TREES Act for green infrastructure** (formerly HB 3016), **Natural and Working Lands Fund** (formerly SB 530), and **Zero Emission Medium- and Heavy-Duty Rebate Program** (formerly HB 2714).

The Climate Package called for increased strategic planning and studies among state agencies and stakeholders, whether that is on renewable energy to studying embodied carbon construction materials to addressing harmful algal blooms. In response to increased

demand for renewable energy, ODOE is tasked with establishing a **State Energy Strategy** (formerly HB 2534) and **DLCD is to adopt rules identifying opportunities and reducing conflict in solar siting** (formerly HB 3181). To identify additional opportunities for emissions reduction, **DCBS is directed to study embodied carbon in construction materials** (formerly SB 869 and part of REBuild package), jointly **Oregon State University, DEQ, and ODF are directed to study the establishment of a low carbon fuels pathways from fuels derived from woody biomass residue** (formerly HB 3590), and the **Oregon Global Warming Commission are directed to study workforce and training programs needed to support the adoption of Natural Climate Solutions on Natural and Working Lands** (formerly SB 522). Additionally, **OHA and DEQ are directed to coordinate and develop a Harmful Algal Bloom Monitoring and Response Strategy** (formerly HB 2647).

Significant investments were made in community resiliency, including a **\$10 million investment in Climate Resilience Hubs** (formerly HB 2990) and a **\$20 million deposit to the Community Renewable Energy Grant Program** (established in HB 2021, 2021). The package renewed residential rebate programs by extending both the **Heat Pump Fund** (formerly HB 3056) and the **Solar + Storage Rebate Program** (formerly HB 3418). It included a \$10 million deposit to the Solar + Storage Rebate Program. Lastly, a grant program is established to help counties prepare for energy resiliency planning in response to grid disruption (formerly HB 3378).

In recognition of the significant increase in available Federal and State incentives for energy efficiency, the package includes the **creation of a Statewide Navigator** (formerly HB 3166) and **grant and technical assistance to environmental justice communities for energy projects** (formerly SB 852). The Climate Package included programmatic changes to the **Oregon Global Warming Commission** (formerly SB 522) and **Community Climate Investments which is part of the Climate Protection Plan** (formerly HB 3196). Additionally, there was an appropriation of \$200,000 to ODOE for the Pacific Northwest Hydrogen Association's hydrogen hub application with Washington State.

HB 3409 was referred to House Rules Committee for the adoption of the [-A5 amendment](#) which removed the new GHG reduction targets and passed on the House Floor 34-15 on a party-line vote. Once in the Senate, the Senate Rules Committee adopted the [-B7 amendment](#) which added clarifying language to BPS. Ultimately, HB 3409 passed on the Senate Floor 18 – 7 with Senator Lynn Findley (R-Vale) voting yes alongside Senate Democrats. Back again in the House for a concurrence vote, HB 3409 was voted on for a final time and passed 34 – 16.

HB 3630 passed the House Floor 36-21 with Rep. Ed Diehl (R-Stayton), Rep. Cyrus Javadi (R-Tillamook), and Rep. Mark Owens (R-Crane) joining House Democrats in voting

yes. In the Senate, HB 3630 passed 18 – 7 with Senator Tim Knopp (R-Bend) being the sole Senate Republican to vote yes.

Both HB 3409 and HB 3630 have been signed by Speaker Rayfield and President Wagner and are awaiting Governor Kotek’s review and signature.

Forth signed a [coalition floor letter](#) and submitted [testimony](#) in support of HB 3409.

HB 2714- Medium or Heavy-Duty ZEV Rebate (Support): Included in the Climate Package

Directs Department of Environmental Quality to establish program to provide rebates to persons that purchase or lease qualifying medium or heavy-duty zero-emission vehicles.

Led by Representative Ken Helm (D-Beaverton), Representative Pam Marsh (D-Ashland), and Climate Solutions, HB 2714 was created to position Oregon to be competitive for available federal funding, such as the Inflation Reduction Act and Congestion Mitigation and Air Quality Improvement Program (CMAQ). The House Committee on Climate, Energy and Environment moved HB 2714 to Joint Committee on Ways and Means on a party line vote. The Climate Package includes a deposit of \$3 million to the new Zero-Emission Medium and Heavy-Duty Vehicle Incentive Fund. (HB 3409 Section 32 – 34). **Forth** testified in support and submitted written [testimony](#).