

HB 4102 STAFF MEASURE SUMMARY

Carrier: Rep. Dobson

House Committee On Climate, Energy, and Environment

Action Date: 02/05/26

Action: Do Pass.

Vote: 11-1-0-0

Yea: 11 - Andersen, Cate, Edwards, Helm, Levy B, Levy E, Lively, Marsh, McDonald, Osborne, Owens

Nays: 1 - Gamba

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/3, 2/5

WHAT THE MEASURE DOES:

The measure modifies the statute authorizing the Oregon Department of Environmental Quality (DEQ) to enter into an agreement with an applicant, permittee, or regulated entity to expedite or enhance a regulatory process. It takes effect on the 91st day following adjournment sine die.

Detailed Summary:

- Allows DEQ to spend money received under an agreement for hiring additional staff, including limited duration employees, to expedite or enhance the regulatory process
- Requires DEQ, before hiring additional staff or contracting with a third party to provide services, to evaluate opportunities to perform the services with existing staff
- Allows an applicant, permittee, or regulated entity to request that DEQ enter into an agreement for hiring additional staff
- Requires DEQ to evaluate whether the expedited or enhanced regulatory process is in the public interest by considering certain factors about the request
- Establishes actions DEQ must take within 45 business days after receiving a written request to enter into an agreement with the requestors
- Requires DEQ to make certain information available on its website and removes the requirement that it must identify department activities suitable for contracting out to third parties
- Establishes conditions under which DEQ must enter into an agreement with an applicant, permittee, or regulated entity

ISSUES DISCUSSED:

- Potential reductions of permit backlogs
- Business opportunities and challenges in Oregon
- Processes DEQ uses to hire contractors

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

According to DEQ, its mission is to “be a leader in restoring, maintaining and enhancing the quality of Oregon’s air, land and water.” The five-member Environmental Quality Commission oversees DEQ and sets the department’s policies and rules.

Currently, as stated in ORS 468.073, DEQ has the authority to enter into an agreement with any applicant, permittee, or regulated entity to set a schedule of payments to the department. The purpose of such an agreement is to enable DEQ to expedite or enhance a regulatory process by contracting for services, hiring

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additional staff, or covering costs of activities not otherwise provided during the ordinary course of department business. These agreements may help relieve permit backlogs.