

Paul L Evans
STATE REPRESENTATIVE
DISTRICT 20



HOUSE OF REPRESENTATIVES

March 9, 2021

Representative Ken Helm
House Committee on Water
Oregon State Capitol
900 Court Street NE
Salem, Oregon 97301

Ref: HB 2310

Chair Helm and Members of the Committee:

House Bill 2310 is about equity, fairness, and justice. If passed in its original form, it is a bill that would prevent "sweetheart deals" regarding specific materials used in public works infrastructure projects. The bill itself has been knowingly or unknowingly mischaracterized: it simply eliminates local governments' ability to restrict the materials considered – considered – for use within the design. Some have alleged HB 2310 is a concept of, by, and for "Big Plastic" – the Plastics Industry. Let me be clear: anyone, everyone suggesting this is either ill-informed or purposefully deceitful. Right now, policies throughout the State of Oregon deny the public the potential benefit of emergent technologies.

As a veteran of Afghanistan, Iraq, and other conflict zones, I submitted this bill to push our communities beyond the familiar. I have seen first-hand, up-close technologies that would transform our overall resilience to natural disasters as well as those made. As a former city mayor, councilor, and school board director, I know the power of inertia within local government: constrained budgets equal constrained thinking.

Too often, tradition (comfort) impedes progress. This bill was submitted with the sole intention of providing cover for creativity and innovation. HB 2310, the base bill, attempts to tear off the gag for countless architects, engineers, and planners.

Last Session, it became clear that a few powerful interests opposed all/any change to existing policies regarding materials usage. Though I did not understand then, or now, the rationale behind the bill's opposition, I submitted this bill to facilitate a good faith effort to find common ground. Though it appeared a compromise was possible, talks ended abruptly without agreement. After reviewing the ideas suggested, I asked that an amendment be drafted. The -1s provide an alternative path for progress. It avoids the procurement process completely. Instead, it focuses upon cases where one and only one material is used and requires an explanation for the exclusion of consideration of all other materials for pipe and/or pipeline construction projects. The -1s would optimize transparency. Over time it would encourage innovation and perhaps bring to light some unsavory relationships that may be the true reason for certain and specific (only) materials usage.

In conclusion, I ask for your consideration of HB 2310 with the -1s amendment. It is a more tightly focused approach to the twin challenges of obsolete thinking caused by unnecessary local prohibitions and/or the impacts of enduring relationships between public agencies and vendors. This bill is about good governance, transparency, and it is about moving our State of Oregon forward. Thank you for your attention to this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul L. Evans", is written at the bottom of the page.