

Requested by Representative EVANS (at the request of Matt Markee)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4043**

1 On page 1 of the printed bill, delete lines 4 through 28 and delete page
2 2 and insert:

3 **“SECTION 1. (1)(a) As used in this section, ‘water project’ means**
4 **a project to construct or reconstruct interceptors, treatment plants**
5 **or other facilities that are necessary to:**

6 **“(A) Pump, treat and distribute drinking water; or**

7 **“(B) Collect, treat and dispose of liquid and solid waste.**

8 **“(b) ‘Water project’ does not include a project to maintain or repair**
9 **the facilities described in paragraph (a) of this subsection.**

10 **“(2)(a) Notwithstanding an ordinance, resolution, rule or other law**
11 **that prohibits, restricts or limits an evaluation, comparison or use of**
12 **pipe or piping material for or in connection with a water project, a**
13 **project manager or project engineer for the water project, in designing**
14 **or setting specifications for the water project, shall consider using any**
15 **pipe or piping material for the water project that meets current stan-**
16 **dards or performance specifications of:**

17 **“(A) ASTM International, or the successor organization of ASTM**
18 **International;**

19 **“(B) The American Water Works Association, or the successor or-**
20 **ganization of the American Water Works Association;**

21 **“(C) The American National Standards Institute, or the successor**

1 organization of the American National Standards Institute;

2 “(D) NSF International, or the successor organization of NSF
3 International; or

4 “(E) A registered professional engineer.

5 “(b) Paragraph (a) of this subsection applies only to water projects
6 for which all or a portion of the funding consists of moneys appropri-
7 ated directly or indirectly from the State Treasury.

8 “(3) Subsection (2) of this section does not:

9 “(a) Limit the professional judgment, opinion, recommendation or
10 specification of a registered professional engineer or the opinion, rec-
11 ommendation or specification of a water project’s project manager
12 with respect to a final decision concerning the appropriate pipe or
13 piping materials for, or the performance of pipe or piping materials in
14 connection with, a specific water project; or

15 “(b) Apply to any final decision concerning the design or con-
16 struction specifications that a registered professional engineer or the
17 water project’s project manager develops for a specific water project
18 in consultation with a local government, as defined in ORS 174.116.

19 “SECTION 2. Section 1 of this 2020 Act applies to a water project
20 for which a local government, as defined in ORS 174.116, drafts spec-
21 ifications or initiates a design on or after the operative date specified
22 in section 3 of this 2020 Act.

23 “SECTION 3. (1) Section 1 of this 2020 Act becomes operative on
24 January 1, 2021.

25 “(2) A local government, as defined in ORS 174.116, may adopt,
26 amend, enact or repeal an ordinance, resolution, rule or other law
27 before the operative date specified in subsection (1) of this section that
28 is necessary to enable the local government to conform, on and after
29 the operative date specified in subsection (1) of this section, to the
30 requirements set forth in section 1 of this 2020 Act.

