

# HOUSE COMMITTEE ON TRANSPORTATION

## TAPE LOG

April 30, 2007 Hearing Room 357  
3:00 P.M. Tapes 71 - 74

**MEMBERS PRESENT:** Rep. Terry Beyer, Chair  
Rep. George Gilman, Vice-Chair  
Rep. Carolyn Tomei, Vice-Chair  
Rep. Peter Buckley  
Rep. Tom Butler  
Rep. Tobias Read  
Rep. Greg Smith

**STAFF PRESENT:** Judith Callens, Committee Administrator  
Gary Roulier, Committee Assistant

**MEASURES/ISSUES HEARD:**  
HB 3018 – Public Hearing  
HB 2033 – Work Session  
HB 2872 – Work Session  
HB 3082 – Work Session  
HB 3161 – Work Session  
HB 2466 – Work Session  
HB 3273 – Work Session  
HB 2827 – Work Session  
HB 3018 & HB 2653 – Public Hearing  
HB 3018 – Work Session  
HB 2653 – Work Session  
HJM 11 – Work Session  
HB 2526 – Public Hearing and Work Session  
HB 2821 – Public Hearing and Work Session  
HB 2851 – Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

<u>TAPE #</u> <u>AND SIDE</u>	<u>COUNTER</u> <u>NUMBER</u>	<u>BRIEF DESCRIPTION OF SUBJECT MATTER</u> <u>OR CHANGE IN SPEAKER</u>
71A	003	Chair Beyer opens the meeting at 3:13 p.m.
<b><u>HB 3018 – PUBLIC HEARING</u></b>		
	012	Sen. Rick Metsger, State Senator, Senate District #26
	032	Chair Beyer
<b><u>HB 2033 – WORK SESSION</u></b>		
71A	037	Judith Callens, Committee Administrator
	051	Matthew Garrett, Director, Oregon Department of Transportation
	107	Rep. Butler
	110	Garrett
	117	Rep. Butler
	127	Garrett

133 Chair Beyer  
144 **MOTION: Rep. Gilman moves to ADOPT HB 2033-1 amendments dated 3/12/07. (EXHIBIT A)**  
151 Rep. Tomei  
173 Rep. Butler  
190 Rep. G. Smith  
210 **VOTE: 7-0-0**  
**Chair Beyer, hearing no objection, declares the motion CARRIED.**  
215 **MOTION: Rep. Butler moves HB 2033A to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**  
221 Chair Beyer  
225 **VOTE: 7-0-0**  
**AYE: In a roll call vote, all members present vote Aye. Chair Beyer declares the motion CARRIED.**  
235 Chair Beyer

**HB 2872 – WORK SESSION**

240 Judith Callens, Committee Administrator  
253 Chair Beyer  
267 Rep. G. Smith  
274 Rep. Butler  
279 Chair Beyer  
284 Rep. Butler  
292 Callens  
297 Rep. Butler  
299 Callens  
321 Rep. Butler  
342 Callens  
349 **MOTION: Rep. G. Smith moves to ADOPT HB 2872-2 amendments dated 4/27/07. (EXHIBIT B)**  
**VOTE: 7-0-0**  
**Chair Beyer, hearing no objection, declares the motion CARRIED.**  
358 **MOTION: Rep. G. Smith moves HB 2872A to the floor with a DO PASS AS AMENDED recommendation.**  
**VOTE: 6-1-0**  
**AYE: 6 - Buckley, Gilman, Read, Smith G., Tomei, Beyer**  
**NAY: 1 - Butler**  
**Chair Beyer declares the motion CARRIED.**  
**REP. MACPHERSON will lead discussion on the floor.**  
384 Chair Beyer

**HB 3082 – WORK SESSION**

72A 006 Rep. Dave Hunt, State Representative, House District #40  
032 Rep. Tomei  
036 Rep. Hunt  
040 Rep. Butler  
044 Rep. Hunt  
045 Rep. Butler

054 Rep. Hunt  
063 Rep. Butler  
077 Rep. Hunt  
091 Chair Beyer  
096 Rep. G. Smith  
099 Rep. Hunt  
**118 MOTION: Rep. Tomei moves to ADOPT HB 3082-1 amendments dated 4/20/07. (EXHIBIT C)**  
122 Rep. Butler  
130 Callens  
141 B.J. Smith, Government Relations Director, Clackamas County  
157 Rep. G. Smith  
161 Smith  
170 Rep. Buckley  
176 Smith  
179 Chair Beyer  
180 Smith  
187 Chair Beyer  
**198 VOTE: 6-1-0**  
**AYE: 6 - Buckley, Gilman, Read, Smith G., Tomei, Beyer**  
**NAY: 1 - Butler**  
**Chair Beyer declares the motion CARRIED.**  
**199 MOTION: Rep. Tomei moves HB 3082A to the floor with a DO PASS AS AMENDED recommendation.**  
210 Rep. G. Smith  
212 Rep. Butler  
221 Rep. G. Smith  
**227 VOTE: 5-2-0**  
**AYE: 5 - Buckley, Read, Smith G., Tomei, Beyer**  
**NAY: 2 - Butler, Gilman**  
**Chair Beyer declares the motion CARRIED.**  
**REP. HUNT will lead discussion on the floor.**  
72A 237 Chair Beyer  
**HB 3161 – WORK SESSION**  
244 Judith Callens, Committee Administrator  
259 Rep. Butler  
**265 MOTION: Rep. Tomei moves to ADOPT HB 3161-2 amendments dated 4/26/07. (EXHIBIT D)**  
**VOTE: 6-0-1**  
**EXCUSED: 1 - Gilman**  
**Chair Beyer, hearing no objection, declares the motion CARRIED.**  
271 **MOTION: Rep. Tomei moves HB 3161A to the floor with a DO PASS AS AMENDED recommendation and be placed on the CONSENT CALENDAR.**  
**VOTE: 7-0-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
**Chair Beyer declares the motion CARRIED.**  
288 Chair Beyer

**HB 2466 – WORK SESSION**

294 Judith Callens, Committee Administrator  
 406 Rep. G. Smith  
**71B** 001 Sen. Frank Morse, State Senator, Senate District #8  
 029 Rep. Butler  
 041 Matthew Garrett, Director, Oregon Department of Transportation  
**(EXHIBIT E)**  
 103 Rep. Gilman  
 104 Garrett  
 110 Rep. G. Smith  
 114 Garrett  
 127 Rep. G. Smith  
 130 Garrett  
 133 Rep. G. Smith  
 135 Garrett  
 137 Rep. G. Smith  
 144 Troy Costales, Administrator, Safety Division, Oregon  
 Department of Transportation  
 154 Rep. G. Smith  
 156 Costales  
 163 Rep. G. Smith  
 169 Costales  
 184 Rep. Butler  
 194 Costales  
**71B** 198 Rep. Butler  
 234 **MOTION: Rep. Tomei moves to ADOPT HB 2466-5  
 amendments dated 3/27/07. (EXHIBIT F)**  
**VOTE: 7-0-0**  
**Chair Beyer, hearing no objection, declares the motion  
 CARRIED.**  
 240 **MOTION: Rep. Tomei moves to ADOPT HB 2466-4  
 amendments dated 3/20/07. (EXHIBIT G)**  
**VOTE: 7-0-0**  
**Chair Beyer, hearing no objection, declares the motion  
 CARRIED.**  
 245 **MOTION: Rep. Tomei moves to ADOPT HB 2466-7  
 amendments dated 4/27/07. (EXHIBIT H)**  
 250 Chair Beyer  
 254 Rep. Butler  
 284 **VOTE: 7-0-0**  
**Chair Beyer, hearing no objection, declares the motion  
 CARRIED.**  
 287 **MOTION: Rep. Tomei moves HB 2466A to the floor with a  
 DO PASS AS AMENDED recommendation.**  
**VOTE: 7-0-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
**Chair Beyer declares the motion CARRIED.**  
**REP. TOMEI will lead discussion on the floor.**  
 299 Chair Beyer  
**HB 3273 – WORK SESSION**  
 304 Judith Callens, Committee Administrator  
 331 Mike Newnan, President, Oregon Wheat Grower’s League

72B	003	Kermit Melling, Representative, Motor Carrier Enforcement Officers
	079	Rep. Butler
	105	Rep. Tomei
	110	Melling
	112	Rep. Tomei
	115	Rep. G. Smith
	117	Melling
	133	Rep. G. Smith
	137	Melling
	142	Chair Beyer
	146	Melling
	167	Chair Beyer
	169	Melling
	180	Rep. Butler
	214	Rep. Tomei
	228	Rep. Buckley
	233	Rep. G. Smith
72B	238	Rep. Butler
	241	Matthew Garrett, Director, Oregon Department of Transportation
	249	Rep. G. Smith
	250	Garrett
	258	Rep. Tomei
	263	Garrett
	264	Rep. Tomei
	266	Garrett
	278	Rep. Tomei
	281	Chair Beyer
	288	Rep. Buckley
	293	Chair Beyer
	297	Rep. Butler
	299	Chair Beyer
	301	Melling
	310	Rep. Butler
	<b>331</b>	<b>MOTION: Rep. Tomei moves HB 3273 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.</b>
	335	Rep. Butler
	343	Rep. Gilman
	346	Chair Beyer
	376	Rep. Butler
	<b>384</b>	<b>VOTE: 4-3-0</b> <b>AYE: 4 - Buckley, Read, Tomei, Beyer</b> <b>NAY: 3 - Butler, Gilman, Smith G.</b> <b>Chair Beyer declares the motion CARRIED.</b>
	398	Chair Beyer
<b><u>HB 2827 – WORK SESSION</u></b>		
	401	Judith Callens, Committee Administrator
73A	001	Rep. Butler
	003	Callens

	036	Chair Beyer
	047	Rep. Butler
	054	Chair Beyer
	058	Rep. Buckley
	060	Chair Beyer
	064	Rep. Tomei
	069	Chair Beyer
	075	Rep. Butler
73A	086	Chair Beyer
	092	Rep. Butler
	095	Callens
	106	Rep. Butler
	116	Lorna Youngs, Administrator, Department of Motor Vehicles, Oregon Department of Transportation
	128	Rep. Butler
	133	Youngs
	142	<b>MOTION: Rep. Gilman moves to ADOPT HB 2827-3 amendments dated 4/30/07. (EXHIBIT I)</b>
		<b>VOTE: 5-2-0</b>
		<b>AYE: 5 - Buckley, Gilman, Read, Tomei, Beyer</b>
		<b>NAY: 2 - Butler, Smith G.</b>
		<b>Chair Beyer declares the motion CARRIED.</b>
	146	Rep. Buckley
	151	Rep. Tomei
	160	Rep. Butler
	179	Chair Beyer
	190	Rep. G. Smith
	207	<b>MOTION: Rep. Gilman moves HB 2827A to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.</b>
		<b>VOTE: 5-2-0</b>
		<b>AYE: 5 - Buckley, Gilman, Read, Tomei, Beyer</b>
		<b>NAY: 2 - Butler, Smith G.</b>
		<b>Chair Beyer declares the motion CARRIED.</b>
	227	Chair Beyer
	<b><u>HB 3018 &amp; HB 2653 – PUBLIC HEARING</u></b>	
	237	Judith Callens, Committee Administrator
	238	Vice-Chair Gilman
	268	Steve Clark, Committee Member, Oregon Business Plan Initiative on Transportation <b>(EXHIBIT J)</b>
	320	Randy Pape, Committee Member, Oregon Business Plan <b>(EXHIBITS K &amp; L)</b>
74A	001	Pape
	032	Rep. Tomei
	038	Pape
	046	Rep. Tomei
	047	Pape
	050	Rep. Tomei
	064	Clark
74A	072	Rep. Tomei

	075	Clark
	096	Rep. Butler
	103	Pape
	106	Clark
	108	Rep. Butler
	115	Pape
	118	Rep. Butler
	131	Pape
	137	Rep. Butler
	146	Pape
	170	Rep. Butler
	194	Pape
	215	Rep. Tomei
	245	Clark
	248	Rep. Buckley
	259	Callens
	278	Rep. Butler
	282	Callens
	290	Rep. Butler
	306	Sam Adams, Transportation Commissioner, City of Portland <b>(EXHIBIT M)</b>
<b>73B</b>	001	Beverly Bookin, Commercial Real Estate Economic Coalition and National Association of Industrial and Office Properties <b>(EXHIBITS N &amp; O)</b>
	002	Rep. Tomei has the gavel.
	003	Bookin
	010	Matthew Garrett, Director, Oregon Department of Transportation <b>(EXHIBITS P, Q &amp; R)</b>
	021	Veronica Rinard, Director of Community Relations, Portland Oregon Visitor's Association <b>(EXHIBIT S)</b>
	029	Bob Russell, President, Oregon Trucking Association
	075	Vice-Chair Gilman
	076	Russell
	173	Rep. Butler
	179	Russell
	180	Rep. Butler
	181	Russell
	201	Jonathan Schlueter, Executive Director, Westside Economic Alliance <b>(EXHIBIT T)</b>
<b>73B</b>	231	Susie Pape
	242	Jay Waldron, President, Port of Portland Commission
	261	Art Schlack, Policy Manager, Association of Oregon Counties
	312	Rep. Butler
<b>The following written testimony was submitted for the record without public testimony:</b>		
		Sorin Garber, President, Sorin Garber Consulting Group <b>(EXHIBIT U)</b>
		Gerald Breazeale, City Manager, City of Irrigon <b>(EXHIBIT V)</b>
		Steve Gaschler, Development Services Manager, City of Ontario <b>(EXHIBIT W)</b>
		Heidi Altmaier, Deputy Legislative Counsel <b>(EXHIBIT X)</b>
	314	Chair Gilman

**HB 3018 – WORK SESSION**

328

**MOTION:** Rep. Tomei moves to ADOPT HB 3018-6 amendments dated 4/30/07. (EXHIBIT Y)

**VOTE:** 5-1-1

**AYE:** 5 - Buckley, Butler, Gilman, Read, Tomei

**NAY:** 1 - Smith G.

**EXCUSED:** 1 - Beyer

**Vice-Chair Gilman declares the motion CARRIES.**

337

Chair Beyer

338

**MOTION:** Rep. Tomei moves HB 3018A to the floor with a **DO PASS AS AMENDED** recommendation and the **SUBSEQUENT REFERRAL** to the committee on Revenue **BE RESCINDED** and **BE REFERRED** to the committee on Ways and Means.

**VOTE:** 6-1-0

**AYE:** 6 - Buckley, Butler, Gilman, Read, Tomei, Beyer

**NAY:** 1 - Smith G.

**Chair Beyer declares the motion CARRIED.**

343

Chair Beyer

**HB 2653 – WORK SESSION**

361

**MOTION:** Rep. Tomei moves HB 2653 to the floor **WITHOUT RECOMMENDATION** as to passage and **BE REFERRED** to the committee on Revenue by prior reference.

372

Rep. G. Smith

382

Rep. Butler

74B

003

**VOTE:** 6-1-0

**AYE:** 6 - Buckley, Butler, Gilman, Read, Tomei, Beyer

**NAY:** 1 - Smith G.

**Chair Beyer declares the motion CARRIED.**

010

Chair Beyer

**HJM 11 – WORK SESSION**

017

Judith Callens, Committee Administrator

74B

046

Rep. G. Smith

050

Callens

060

Rep. Buckley

069

**MOTION:** Rep. Read moves to ADOPT HJM 11-2 amendments dated 4/25/07. (EXHIBIT Z)

072

Rep. Butler

086

**VOTE:** 5-2-0

**AYE:** 5 - Buckley, Gilman, Read, Tomei, Beyer

**NAY:** 2 - Butler, Smith G.

**Chair Beyer declares the motion CARRIED.**

089

Rep. Tomei

094

**MOTION:** Rep. Gilman moves HJM 11 be sent to the floor with a **BE ADOPTED AS AMENDED** recommendation.

094

**VOTE:** 5-2-0

**AYE:** 5 - Buckley, Gilman, Read, Tomei, Beyer



		<b>NAY: 2 - Butler, Smith G.</b>
		<b>Chair Beyer declares the motion CARRIED.</b>
		<b>REP. GILMAN will lead discussion on the floor.</b>
	111	Rep. Butler
	114	Chair Beyer
		Judith Callens, Committee Administrator
		Chair Beyer
		<b>MOTION: Rep. Tomei moves HB 2526 to the floor</b>
		<b>WITHOUT RECOMMENDATION as to passage</b>
		<b>and BE REFERRED to the committee on Rules.</b>
		<b>VOTE: 7-0-0</b>
		<b>Chair Beyer, hearing no objection, declares the motion</b>
		<b>CARRIED.</b>
		Chair Beyer
	142	
		Judith Callens, Committee Administrator
		Don Schellenberg, Associate Director of Government Affairs,
		Oregon Farm Bureau ( <b>EXHIBIT AA</b> )
		Rep. Butler
		Schellenberg
		Rep. Tomei
		Jack Evans, Legislative Liaison, Oregon Department of
		Transportation ( <b>EXHIBIT BB</b> )
		Chair Beyer
		<b>MOTION: Rep. Tomei moves to ADOPT HB 2821-1</b>
		<b>amendments dated 4/26/07. (EXHIBIT CC)</b>
		<b>VOTE: 7-0-0</b>
		<b>Chair Beyer, hearing no objection, declares the motion</b>
		<b>CARRIED.</b>
		<b>MOTION: Rep. Tomei moves HB 2821A to the floor with a</b>
		<b>DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>Chair Beyer declares the motion CARRIED.</b>
		<b>REP. BEYER will lead discussion on the floor.</b>
		Chair Beyer
	202	
		Judith Callens, Committee Administrator
		Rep. Butler
		<b>MOTION: Rep. Butler moves to ADOPT HB 2851-1</b>
		<b>amendments dated 4/6/07. (EXHIBIT DD)</b>
		<b>VOTE: 7-0-0</b>
		<b>Chair Beyer, hearing no objection, declares the motion</b>
		<b>CARRIED.</b>
		<b>MOTION: Rep. Butler moves HB 2851A to the floor with a</b>
		<b>DO PASS AS AMENDED recommendation and</b>
		<b>BE REFERRED to the committee on Ways and</b>
		<b>Means.</b>
		<b>VOTE: 7-0-0</b>
	269	

**HB 2526 – PUBLIC HEARING**

**HB 2526 – WORK SESSION**

**HB 2821 – PUBLIC HEARING**

**HB 2821 – WORK SESSION**

74B

**HB 2851 – WORK SESSION**

**AYE:** In a roll call vote, all members present vote Aye.  
**Chair Beyer declares the motion CARRIED.**  
Chair Beyer adjourns the meeting at 6:43 p.m.

## **EXHIBIT SUMMARY**

- A. **HB 2033, -1 amendments, staff, 1 p**
- B. **HB 2872, -2 amendments, staff, 1 p**
- C. **HB 3082, -1 amendments, staff, 1 p**
- D. **HB 3161, -2 amendments, staff, 1 p**
- E. **HB 2466, written testimony, Matthew Garrett, 2 pp**
- F. **HB 2466, -5 amendments, staff, 1 p**
- G. **HB 2466, -4 amendments, staff, 1 p**
- H. **HB 2466, -7 amendments, staff, 4 pp**
- I. **HB 2827, -3 amendments, 21 pp**
- J. **HB 3018 & HB 2653, written testimony, Steve Clark, 2 pp**
- K. **HB 3018 & HB 2653, organization list, Randy Pape, 1 p**
- L. **HB 3018 & HB 2653, information packet, Randy Pape, 13 pp**
- M. **HB 3018 & HB 2653, written testimony, Sam Adams, 1 p**
- N. **HB 3018 & HB 2653, written testimony of Greg Manning, Beverly Bookin, 2 pp**
- O. **HB 3018 & HB 2653, written testimony of Michael Tharp, Beverly Bookin, 1 p**
- P. **HB 3018, written testimony, Matthew Garrett, 1 p**
- Q. **HB 2653, written testimony, Matthew Garrett, 1 p**
- R. **HB 3018 & HB 2653, brochure, Matthew Garrett, 12 pp**
- S. **HB 3018 & HB 2653, written testimony, Veronica Rinard, 1 p**
- T. **HB 3018 & HB 2653, written testimony, Jonathan Schlueter, 2 pp**
- U. **HB 3018 & HB 2653, written testimony, Sorin Garber, 3 pp**
- V. **HB 3018 & HB 2653, written testimony, Gerald Braezeale, 1 p**
- W. **HB 3018 & HB 2653, written testimony, Steve Gaschler, 1 p**
- X. **HB 3018, written testimony, Heidi Altmaier, 1 p**
- Y. **HB 3018, -6 amendments, staff, 7 pp**
- Z. **HJM 11, -2 amendments, staff, 2 pp**
  - AA. **HB 2821, written testimony, Don Schellenberg, 3 pp**
  - BB. **HB 2821, written testimony, Jack Evans, 1 p**
  - CC. **HB 2821, -1 amendments, staff, 2 pp**
  - DD. **HB 2851, -1 amendments, staff, 2 pp**