

HOUSE COMMITTEE ON TRANSPORTATION

April 11, 2005 Hearing Room C

1:00 P.M. Tapes 44 - 45

MEMBERS PRESENT: Rep. George Gilman, Chair

Rep. Deborah Boone

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Kim Thatcher

MEMBER EXCUSED: Rep. Terry Beyer, Vice-Chair

Rep. Chuck Burley, Vice-Chair

STAFF PRESENT: John Houser, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2897 – Public Hearing

HB 2110 – Public Hearing

HB 2576 – Public Hearing

HB 2586 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/# Speaker Comments

TAPE 44, A

003 Chair Gilman Calls the meeting to order at 1:03 p.m. Opens a public hearing on HB 2897.

HB 2897 – PUBLIC HEARING

007 John Houser Committee Administrator. Introduces HB 2897.

020 Rep. Mitch Greenlick House District 33. Testifies in support of HB 2897. Explains the importance of commuter rail operating from Beaverton to Wilsonville and possibly to Salem. Notes the work done by involved parties and that the time frame for the completion of the project is 2017 or 2018.

076 Rep. Jerry Krummel House District 26. Testifies in support of HB 2897. Discusses the “bullet train” from the Portland area to Salem. Mentions the Newberg to Milwaukie line and the failure of Clackamas County to get involved in the project. Explains that the line is in place from the Portland area to Salem for Western Pacific Railroad.

130 Rep. Krummel Discusses the funding for the rail project. Estimates that there will be 3000 weekday riders by 2020. Estimates the total project cost at \$103.5 million.

150 Rep. Krummel Explains the importance of involving the railroads in the early stages of the projects. Notes the importance of working with cities and the businesses along the route. Discusses SMART (South Metro Area Rapid Transit) and funding.

210 Rep. Hunt Asks if the train would tie in with Amtrak in Salem.

215 Rep. Greenlick Answers that it would come in to Salem at State Street.

218 Rep. Hunt Asks about the potential for coordination between the commuter rail project and transportation systems such as Amtrak.

220 Rep. Greenlick Responds that passengers would take a shuttle between the two.

222	Rep. Krummel	Explains that it is important to have a bus system to get people from train terminals to their destinations.
248	Rep. Greenlick	Notes that the rail industry has been very supportive of the passenger rail idea to improve the rail system for freight.
255	Rep. Hunt	Expresses hope that projects are not competing for the same source of funding.
270	Rep. Krummel	Responds that they should not be competing since the project would be under federal funding until the light rail system is complete.
289	Fred Nussbaum	Association of Oregon Rail and Transit Advocates (AORTA). Notes that he took an Amtrak bus from Washington County to the committee hearing and hopes that public transportation will be expanded between Portland and Salem and beyond. Cites a project in Vancouver, B.C. in which a ten-mile commuter rail was operational in two-and-a-half years.
330	Nussbaum	Notes that light rail has a place in the Portland area, Amtrak has a place for longer distances, and commuter rail has a place between Portland and Salem.
340	Rep. Thatcher	Declares a potential conflict of interest for HB 2897 due to business interests.
345	Kelly Taylor	Administrator, Rail Division, Oregon Department of Transportation (ODOT). Explains the work ODOT has done on the commuter rail project.
361	Chair Gilman	Closes the public hearing on HB 2897. Opens a public hearing on HB 2110.

HB 2110 – PUBLIC HEARING

365	John Houser	Committee Administrator. Introduces HB 2110.
370	Rep. Thatcher	Declares a potential conflict of interest for HB 2110 due to business interests.

375 Bruce Warner Director, Oregon Department of Transportation (ODOT). Testifies in support of HB 2110.

400 Kelly Taylor Administrator, Rail Division, ODOT. Submits and summarizes prepared testimony in support of HB 2110 (**EXHIBIT A**). Explains the importance of a Rail Advisory Committee.

TAPE 45, A

020 Rep. Hunt Asks how the mandate of the advisory committee could change.

030 Taylor Answers that the concern is not the mandate, but rather the formation and charter of the committee.

042 Pat Egan Port of Portland, Oregon Rail Users League. Testifies in support of the concept of a Rail Advisory Committee.

061 Fred Nussbaum Association of Oregon Rail and Transit Advocates (AORTA). Submits and summarizes prepared testimony in support of HB 2110 (**EXHIBIT B**).

078 Ken Armstrong Oregon Shortline Railroad Association, Oregon Ports Group. Testifies in support of HB 2110. Describes the importance of the Rail Advisory Committee.

100 Bob Russell President, Oregon Trucking Associations, Inc. Submits and summarizes prepared testimony in opposition to HB 2110 (**EXHIBIT C**).

162 D.E. Bridges Executive Director, Oregon Forest Products Transportation Association. Testifies in opposition to HB 2110.

183 Cindy Robert Union Pacific Railroad. Explains that the Rail Advisory Committee is different from the Freight Advisory Committee.

208 Chair Gilman Closes the public hearing on HB 2110. Opens a public hearing on HB 2576.

HB 2576 – PUBLIC HEARING

212	John Houser	Committee Administrator. Introduces HB 2576.
222	Rep. Jeff Kropf	House District 17. Testifies in support of HB 2576. Explains that the bill came from the Noxious Weed Taskforce and workgroup. Notes that noxious weeds are becoming more prevalent in Oregon and the bill is necessary to prevent their spread.
285	Rep. Kropf	Explains the -1 amendments (EXHIBIT D) and the intent to allow law enforcement the flexibility to enforce the law.
335	Rep. Boone	Notes legislation that addresses larger ships and lakes.
356	Rep. Hunt	Asks if invasive species are addressed in statute.
378	Rep. Kropf	Answers that he does not think it is addressed.
391	Rep. Bruun	Asks if there is evidence of noxious weeds invading Oregon.

TAPE 44, B

004	Rep. Kropf	Answers that the evidence from the noxious weed workgroup was anecdotal, but it does happen.
018	Rep. Bruun	Expresses hesitation about the proposed solution. Notes that similar problems could result from off-road vehicles transporting noxious weeds.
027	Rep. Kropf	Explains that local governments should address the noxious weed issue, but it would not be consistently implemented. Proposes that having Association of Oregon Counties addressing the issue would be a better solution.
053	Rep. Boone	Proposes that the Oregon State Marine Board take a role in addressing the issue.
056	Rep. Kropf	Concurs and states that he is willing to consider it.
065	Randy Henry	Oregon State Marine Board. Submits and summarizes prepared testimony (EXHIBIT E) in support of HB 2576 and -1 amendments.

125	Rep. Boone	Asks if signage would be effective in addressing noxious weeds.
131	Henry	Answers yes.
138	Rep. Hunt	Asks if there is a law to prohibit transferring invasive species on boats.
142	Henry	Explains the law enforcement jurisdiction over invasive species.
150	Rep. Hunt	Asks for clarification of aquatic species.
153	Henry	Clarifies that he is referring to plants.
158	Mark Sytsma	Associate Professor, Environmental Science and Engineering, Portland State University. Submits and summarizes prepared testimony in support of HB 2576 (EXHIBIT F). Explains the weeds from aquariums that have infested lakes along the coast.
210	Sytsma	Notes that in lakes around Florence, lakes with boat ramps had 100% infestation of exotic weeds, while 22% of those without ramps had exotic weeds. States that many people are aware that invasive species are a problem.
248	Rep. Bruun	Asks if the damage has already been done and legislation will help the problem.
254	Sytsma	Answers that some species of plants are already spread throughout the waterways. Explains that the bill would help prevent the spread of other species.
276	Rich Angstrom	Duck hunter. Expresses concern that HB 2576 would make duck hunting illegal "as soon as it comes out". Describes duck hunters' use of vegetation for camouflage on their boats and the problems that would result from the passage of HB 2576.
355	Rep. Kropf	Explains the exemption in the Minnesota law for duck hunting pointed out by Paul Donheffner, Director of the Oregon State Marine Board. Reiterates the intent of the bill.
376	Chair Gilman	Closes the public hearing on HB 2576. Opens a public hearing on HB 2586.

HB 2586 – PUBLIC HEARING

- 385 John Houser Committee Administrator. Introduces HB 2586.
- 395 Brenda Trainer-Huber Oregon resident. Testifies in support of HB 2586. Describes her motorcycle accident and submits photos **(EXHIBIT G)**.
- TAPE 45, B**
- 082 Rep. Boone Notes that she is a volunteer fire fighter. Points out that if someone takes action that causes an accident and wonders if the police have the discretion to further investigate.
- 094 Trainer-Huber Answers that attorneys she has spoken with told her it is up to the police to investigate.
- 098 Rep. Boone Argues that if someone causes an accident, it should be further investigated.
- 107 Chair Gilman Asks how her situation would be different with the passage of HB 2586.
- 110 Trainer-Huber Answers that the police could have taken action against the woman who caused the accident. Explains the ongoing suffering and problems associated with the accident. Expresses disappointment that the police did not follow up.
- 135 Ken Ray Executive Director, BikePAC of Oregon, Inc. Submits and summarizes prepared testimony and fact sheet in support of HB 2586 **(EXHIBIT H)**. Cites the case of Bill Janklow who ran a stop sign and killed a motorcyclist. Describes the -1 amendments **(EXHIBIT I)**.
- 214 Rep. Thatcher Asks for a clarification of the intent of the bill.
- 218 Ray Explains the intent of the bill. Notes that driving is a privilege.
- 229 Rep. Thatcher Explains her concern that the bill would make no distinction between those who drive with reckless disregard and those who have made an honest mistake.

242	Ray	Explains that the standard in the bill would remain that one would have to be convicted, not only cited.
252	Rep. Thatcher	Expresses concerns about the bill. Cites her experience of an automobile accident that resulted from making an improper lane change and notes that if it had been a motorcycle it could have been worse.
280	Ray	Explains the court and citation process.
325	Wayne Schumacher	BikePAC of Oregon, Inc. Testifies in support of HB 2586. Explains the intent of the bill and the -1 amendments. Notes the concern that driving penalties are not appropriately applied based on citations.
387	Rep. Thatcher	Further explains her accident scenario and asks if she would have had to hire a defense attorney under HB 2586.
400	Schumacher	Answers that would be similar to any other type of citation.
408	Rep. Thatcher	Asks for a clarification of receiving a citation versus a conviction.
415	Schumacher	Explains the legal process for citations and convictions.
431	Chair Gilman	Closes the public hearing on HB 2586.
450	Rep. Boone	Comments on the April 8 committee meeting in Bend.
470	Chair Gilman	Adjourns the meeting at 2:55 p.m.

EXHIBIT SUMMARY

- A. **HB 2110, prepared testimony, Kelly Taylor, 2 pp**
- B. **HB 2110, prepared testimony, Fred Nussbaum, 1 p**
- C. **HB 2110, prepared testimony and information, Bob Russell, 3 pp**
- D. **HB 2576, -1 amendments, staff, 1 p**
- E. **HB 2576, prepared testimony, Randy Henry, 1 p**

- F. HB 2576, prepared testimony, Mark Sytsma, 1 p**
- G. HB 2586, photos, Brenda Trainer-Huber, 3 pp**
- H. HB 2586, prepared testimony and information, Ken Ray, 2 pp**
- I. HB 2586, -1 amendments, staff, 1 p**
- J. HB 2586, prepared testimony of Sam Hochberg, Wayne Schumacher, 1 p**