

HOUSE COMMITTEE ON TRANSPORTATION

May 16, 2005 Hearing Room C

1:00 P.M. Tapes 68 - 69

MEMBERS PRESENT: Rep. George Gilman, Chair

Rep. Terry Beyer, Vice-Chair

Rep. Chuck Burley, Vice-Chair

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Kim Thatcher

MEMBER EXCUSED: Rep. Deborah Boone

STAFF PRESENT: Patrick Brennan, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

SB 76-A – Public Hearing and Work Session

SB 78 – Public Hearing and Work Session

SB 101 – Public Hearing and Work Session

SB 102-A – Public Hearing

SB 178 – Public Hearing and Work Session

SB 859 – Public Hearing and Work Session

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
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TAPE 68, A

003	Chair Gilman	Calls the meeting to order at 1:30 p.m. States that HB 2608 will not be heard. Opens a public hearing on SB 76-A.
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SB 76-A – PUBLIC HEARING

010	Patrick Brennan	Committee Administrator. Introduces SB 76-A.
015	Robin Freeman	Oregon Department of Transportation (ODOT). Submits and reads prepared testimony in support of SB 76-A (EXHIBIT A).
041	Chair Gilman	Closes the public hearing and opens a work session on SB 76-A.

SB 76-A – WORK SESSION

043	Rep. Hunt	MOTION: Moves SB 76-A to the floor with a DO PASS recommendation. VOTE: 6-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Boone
	Chair Gilman	The motion CARRIES.

050	Rep. Hunt	MOTION: Moves SB 76-A be placed on the CONSENT CALENDAR.
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VOTE: 6-0-1

EXCUSED: 1 - Boone

Chair Gilman Hearing no objection, declares the motion CARRIED.

052 Chair Gilman Closes the work session on SB 76-A. Opens a public hearing on SB 78.

SB 78 – PUBLIC HEARING

055 Patrick Brennan Committee Administrator. Introduces SB 78.

060 Robin Freeman Oregon Department of Transportation (ODOT). Submits and reads prepared testimony in support of SB 78 **(EXHIBIT B)**.

081 Rep. Hunt Asks for clarification that the language “submit” means mailing the report within 72 hours.

087 Freeman Answers yes.

090 Chair Gilman Closes the public hearing and opens a work session on SB 78.

SB 78 – WORK SESSION

095 Rep. Thatcher **MOTION: Moves SB 78 to the floor with a DO PASS recommendation.**

VOTE: 6-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Boone

Chair Gilman The motion CARRIES.

REP. THATCHER will lead discussion on the floor.

105 Chair Gilman Closes the work session on SB 78. Opens a public hearing on SB 101.

SB 101 – PUBLIC HEARING

- 108 Patrick Brennan Committee Administrator. Introduces SB 101.
- 115 John Jackley Highway Division, Oregon Department of Transportation (ODOT). Submits and summarizes prepared testimony in support of SB 101 **(EXHIBIT C)**.
- 130 Chair Gilman Closes the public hearing and opens a work session on SB 101.

SB 101 – WORK SESSION

- 135 Rep. Hunt **MOTION: Moves SB 101 to the floor with a DO PASS recommendation.**
- VOTE: 6-0-1**
- AYE: In a roll call vote, all members present vote Aye.**
- EXCUSED: 1 - Boone**
- Chair **The motion CARRIES.**
- 140 Rep. Burley **MOTION: Moves SB 101 be placed on the CONSENT CALENDAR.**
- VOTE: 6-0-1**
- EXCUSED: 1 - Boone**
- Chair Gilman **Hearing no objection, declares the motion CARRIED.**
- 150 Chair Gilman Closes the work session on SB 101. Opens a public hearing on SB 102 A.

SB 102-A – PUBLIC HEARING

- 153 Patrick Brennan Committee Administrator. Introduces SB 102-A and the –A2 amendments **(EXHIBIT D)**.

165	John Jackley	Highway Division, Oregon Department of Transportation (ODOT). Submits and summarizes prepared testimony in support of SB 102-A (EXHIBIT E) .
225	Rep. Hunt	Asks for comment on the –A2 amendments.
230	Jackley	Answers that the amendments do not appear to be feasible.
240	Jon Chandler	Oregon Home Builders Association. Expresses concerns about the implementation of SB 102-A. States that he intends to work with ODOT to address concerns.
265	Mark Whitlow	Attorney with Perkins Coie, Retail Task Force, Access Management Advisory Committee (AMAC). Concurs with the testimony of Mr. Chandler. Describes the permitting statute related to reasonable access.
346	Chair Gilman	Closes the public hearing on SB 102-A. Opens a public hearing on SB 178.

SB 178 – PUBLIC HEARING

350	Patrick Brennan	Committee Administrator. Introduces SB 178.
360	Robin Freeman	Oregon Department of Transportation (ODOT). Submits and reads prepared testimony in support of SB 178 (EXHIBIT F) .

TAPE 69, A

004	Rep. Burley	Requests clarification that the bill does not apply to someone who provides education or training for a first time driver.
007	Freeman	Answers no.
010	Chair Gilman	Closes the public hearing and opens a work session on SB 178.

SB 178 – WORK SESSION

012	Rep. Burley
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MOTION: Moves SB 178 to the floor with a DO PASS recommendation.

VOTE: 6-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Boone

Chair Gilman The motion CARRIES.

015 Rep. Burley MOTION: Moves SB 178 be placed on the CONSENT CALENDAR.

VOTE: 6-0-1

EXCUSED: 1 - Boone

Chair Gilman Hearing no objection, declares the motion CARRIED.

018 Chair Gilman Closes the work session on SB 178. Opens a public hearing on SB 859.

SB 859 – PUBLIC HEARING

020 Patrick Brennan Committee Administrator. Introduces SB 859.

026 Ted Keizer Staff for Sen. Joanne Verger. Conveys Sen. Verger's support for SB 859.

033 Gary Bauer NW Natural. Testifies in support of SB 859. Explains criteria regarding utility permits to place facilities in the right-of-way along state highways.

070 Rep. Thatcher Asks what happens if utilities do not receive a permit to move when roads are widened.

073 Bauer Answers that an ODOT permit is necessary for any utility to do work in a right-of-way.

080 Chair Gilman Closes the public hearing and opens a work session on SB 859.

SB 859 – WORK SESSION

083 Rep. Bruun **MOTION: Moves SB 859 to the floor with a DO PASS recommendation.**

VOTE: 6-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Boone

Chair Gilman The motion CARRIES.

088 Rep. Bruun **MOTION: Moves SB 859 be placed on the CONSENT CALENDAR.**

VOTE: 6-0-1

EXCUSED: 1 - Boone

Chair Gilman Hearing no objection, declares the motion CARRIED.

095 Chair Gilman Closes the work session on SB 859. Adjourns the meeting at 2:08 p.m.

EXHIBIT SUMMARY

- A. SB 76-A, prepared testimony, Robin Freeman, 1 p
- B. SB 78, prepared testimony, Robin Freeman, 1 p
- C. SB 101, prepared testimony, John Jackley, 1 p
- D. SB 102-A, -A2 amendments, staff, 1 p
- E. SB 102-A, prepared testimony, John Jackley, 2 pp
- F. SB 178, prepared testimony, Robin Freeman, 2 pp