

HOUSE COMMITTEE ON TRANSPORTATION

May 23, 2005 Hearing Room C

1:00 P.M. Tapes 72 - 73

MEMBERS PRESENT: Rep. George Gilman, Chair

Rep. Terry Beyer, Vice-Chair

Rep. Chuck Burley, Vice-Chair

Rep. Deborah Boone

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Kim Thatcher

STAFF PRESENT: Patrick Brennan, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2608 – Work Session

SB 373-A – Public Hearing and Work Session

SB 487 – Public Hearing and Work Session

SB 493-A – Public Hearing

SB 938-A – Public Hearing and Work Session

HB 3374 – 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
TAPE 72, A		
003	Chair Gilman	Calls the meeting to order at 1:02 p.m. Opens a work session on HB 2608.
<u>HB 2608 – WORK SESSION</u>		
008	Patrick Brennan	Committee Administrator. Introduces HB 2608. Mentions the -2 and -3 amendments distributed at the last meeting, explaining the differences.
023	Rep. Bruun	Inquires regarding the -3 amendments.
028	Chair Gilman	Explains his intentions for the bill, which requires passing the bill out with the -3 amendments.
037	Rep. Bruun	Requests clarification regarding a social security verification provision in the -3 amendments.
041	Chair Gilman	Explains the intent to match the federal Real ID Act.
060	Rep. Hunt	Believes the -2 amendments would most effectively pass out of the House Chamber and better align with the federal Real ID Act.
083	Brennan	Explains the bill will be referred to the Committee on Budget.
097	Rep. Thatcher	MOTION: Moves to ADOPT HB 2608-3 amendments dated 5/10/05.
100	Rep. Beyer	Speaks against the -3 amendments. Believes the bill does not solve a problem.
113		VOTE: 4-3-0
		AYE: 4 - Bruun, Burley, Thatcher, Gilman
		NAY: 3 - Beyer, Boone, Hunt

Chair Gilman **The motion CARRIES.**

115 **Rep. Bruun** **MOTION: Moves HB 2608 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Budget.**

123 **VOTE: 4-3-0**

AYE: 4 - Bruun, Burley, Thatcher, Gilman

NAY: 3 - Beyer, Boone, Hunt

Chair Gilman **The motion CARRIES.**

The following material is submitted for the record without public testimony:

Mike Balanesi and Ruth Bendl Written testimony in support of HB 2608 **(EXHIBIT J)**.

124 **Chair Gilman** **Closes the work session on HB 2608. Opens a public hearing on SB 373-A.**

SB 373-A – PUBLIC HEARING

129 **Patrick Brennan** **Committee Administrator. Introduces SB 373-A. Mentions the –A5 amendments **(EXHIBIT A)**, which resolve conflicts with HB 2261.**

156 **Tricia Smith** **Government Relations Specialist, Oregon School Employees Association (OSEA). Submits and reviews written testimony in support of SB 373-A **(EXHIBIT B)**. States that educational professionals working with incarcerated or other non-traditional students require some anonymity due to an elevated risk to personal safety. Notes the testimony of educators Kathleen Adamson and Kathy Bonogofski are included with her testimony.**

249 **John Stubenvoll** **Communications Director, Oregon Liquor Control Commission (OLCC). Submits and reviews written testimony in support of SB 373-A **(EXHIBIT C)**. Emphasizes the narrow scope of the bill.**

267 Rep. Burley Inquires regarding the definition of a regulatory manager.

272 Stubenvoll Relates the reference is to six managers of field offices.

284 Smith Believes the –A5 amendments do not impact the concerns of OSEA.

309 Chair Gilman Questions how many OSEA employees would be affected.

312 Smith Reports difficulty determining an exact number, but says the focus is narrow. Expects less than 200 OSEA employees to be impacted.

326 Chair Gilman Closes the public hearing and opens a work session on SB 373-A.

SB 373-A – WORK SESSION

329 Rep. Hunt **MOTION: Moves to ADOPT SB 373-A-A5 amendments dated 5/23/05.**

VOTE: 7-0-0

Chair Gilman Hearing no objection, declares the motion CARRIED.

339 Rep. Hunt **MOTION: Moves SB 373-A to the floor with a DO PASS AS AMENDED recommendation.**

347 **VOTE: 7-0-0**

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

Chair Gilman The motion CARRIES.

350 Rep. Beyer **MOTION: Moves SB 373-A be placed on the CONSENT CALENDAR.**

358 **VOTE: 7-0-0**

Chair Gilman **Hearing no objection, declares the motion CARRIED.**

362 Chair Gilman Closes the work session on SB 373-A. Opens a public hearing on SB 487.

SB 487 – PUBLIC HEARING

363 Patrick Brennan Committee Administrator. Introduces SB 487.

376 Col. Mike Caldwell Deputy Director, Oregon Military Department. Testifies in support of SB 487.

425 Rep. Hunt Inquires how the bill impacts soldiers deployed inside the United States as opposed to those deployed abroad.

438 Caldwell Relates issues are minimal for those deployed domestically, whereas those deployed outside the country experience complications with mail and other means of communication.

TAPE 73, A

002 Caldwell Continues response.

030 Chair Gilman Closes the public hearing and opens a work session on SB 487.

SB 487 – WORK SESSION

033 Rep. Burley MOTION: Moves SB 487 to the floor with a DO PASS recommendation.

038 Rep. Boone Recommends in the future a provision be made to suspend the requirements rather than postpone them.

040 Rep. Hunt Clarifies the 90-days are following return from duty.

045 VOTE: 7-0-0

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

Chair Gilman **The motion CARRIES.**

049 **Rep. Thatcher** **MOTION: Moves SB 487 be placed on the CONSENT CALENDAR.**

VOTE: 7-0-0

Chair Gilman **Hearing no objection, declares the motion CARRIED.**

052 Chair Gilman Closes the work session on SB 487. Opens a public hearing on SB 493-A.

SB 493-A – PUBLIC HEARING

053 Patrick Brennan Committee Administrator. Introduces SB 493-A.

062 Scott Bricker Bicycle Transportation Alliance (BTA); Willamette Pedestrian Coalition (WPC). Explains his understanding of what SB 493-A will accomplish. Notes the BTA is neutral toward the bill. Discusses his concern with bicycles going through red lights.

093 Rep. Burley Requests clarification regarding the direction the bicycle is headed.

098 Brennan Clarifies the situation addressed by SB 493-A.

123 Rep. Boone Inquires regarding proponents of the bill.

126 Brennan Relates contact parties for questions concerning the bill.

134 Chair Gilman Closes the public hearing on SB 493-A. Opens a public hearing on SB 938-A.

SB 938-A – PUBLIC HEARING

141 Patrick Brennan Committee Administrator. Introduces SB 938-A. Mentions the -A2 amendments (**EXHIBIT D**), and the submission of written testimony from Kat Iverson (**EXHIBIT E**).

161	Rep. Jackie Dingfelder	House District 45. Testifies in support of SB 938-A, explaining details of the bill and relating the benefits of cycling.
282	Rep. Thatcher	Questions the discussion and opposition on the Senate side.
304	Scott Bricker	Bicycle Transportation Alliance (BTA). Provides introduction for and testifies in support of SB 938-A. Discusses questions raised in the Senate, and reiterates BTA support of the –A2 amendments.
340	Catherine Ciarlo	Executive Director, BTA. Relates the purpose of BTA. Submits and summarizes written testimony in support of SB 938-A (EXHIBIT F) , providing bill development history.

TAPE 72, B

002	Ray Thomas	Legislative Committee member, BTA. Submits and summarizes written testimony and information in support of SB 938-A (EXHIBIT G) .
087	Rep. Hunt	Inquires regarding current speed restrictions on bicycles.
094	Thomas	Confirms current speed restrictions only pertain to bicycles. Elaborates.
105	Rep. Hunt	Questions who proposed the –A2 amendments.
106	Chair Gilman	Relates he requested they be drafted.
121	Rep. Thatcher	Cites Mr. Thomas’s testimony, asking about the possibility of a vehicle turning right and striking a cyclist.
128	Thomas	Explains the reasoning behind certain provisions of the bill.
155	Chair Gilman	Closes the public hearing and opens a work session on SB 938-A.

SB 938-A – WORK SESSION

156	Rep. Hunt	Inquires about the inconsistency of speed limits for different types of non-motorized vehicles.
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164	Chair Gilman	Relates his concerns.
177	Rep. Thatcher	Describes instances in which cyclists appear unexpectedly.
184	Rep. Bruun	Expresses concern regarding cyclists who don't obey the law.
197	Rep. Boone	Describes the responsible cyclists on Highway 26.
212	Rep. Beyer	Acknowledges inappropriate behaviors, noting the legislature is unable to monitor and force compliance.
231	Rep. Boone	MOTION: Moves to ADOPT SB 938-A-A2 amendments dated 5/20/05.
240		VOTE: 6-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Burley
	Chair Gilman	The motion CARRIES.
243	Rep. Boone	MOTION: Moves SB 938-A to the floor with a DO PASS AS AMENDED recommendation.
250		VOTE: 6-0-1 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Burley
	Chair Gilman	The motion CARRIES. REP. DINGFELDER will lead discussion on the floor.
259	Chair Gilman	Closes the work session on SB 938-A. Opens a work session on HB 3374.

HB 3374 – WORK SESSION

- 267 Patrick Brennan Committee Administrator. Introduces HB 3374. Mentions the -3 amendments (**EXHIBIT H**).
- 279 Art Schlack Association of Oregon Counties (AOC). Testifies in support of HB 3374 and the -3 amendments. Explains the development of the -3 amendments.
- 311 Brennan Notes there is no fiscal or revenue impact on the bill as amended by the -3 amendments.
- 321 Robin Freeman Oregon Department of Transportation (ODOT). Testifies that ODOT has no objection to HB 3374. Confirms the lack of fiscal or revenue impact.
- 336 Rep. Thatcher **MOTION: Moves to ADOPT HB 3374-3 amendments dated 5/17/05.**
- VOTE: 6-0-1**
- EXCUSED: 1 - Rep. Burley**
- Chair Gilman **Hearing no objection, declares the motion CARRIED.**
- 344 Rep. Thatcher **MOTION: Moves HB 3374 to the floor with a DO PASS AS AMENDED recommendation.**
- 354 **VOTE: 6-0-1**
- AYE: In a roll call vote, all members present vote Aye.**
- EXCUSED: 1 - Rep. Burley**
- Chair Gilman **The motion CARRIES.**
- 366 Rep. Thatcher **MOTION: Moves HB 3374 be placed on the CONSENT CALENDAR.**

369

VOTE: 6-0-1

EXCUSED: 1 - Rep. Burley

Chair Gilman Hearing no objection, declares the motion CARRIED.

370

Chair Gilman

Closes the work session on HB 3374. Discusses future committee work.

The following prepared testimony is submitted for the records without public testimony:

Kat Iverson

Written testimony in support of SB 493 (**exhibit i**).

420

Chair Gilman

Adjourns the meeting at 2:23 p.m.

EXHIBIT SUMMARY

- A. **SB 373-A, -A5 amendments, staff, 6 pp**
- B. **SB 373-A, written testimony, Tricia Smith, 6 pp**
- C. **SB 373-A, written testimony, Jon Stubenvoll, 1 p**
- D. **SB 938-A, -A2 amendments, staff, 1 p**
- E. **SB 938-A, written testimony, Kat Iverson, 2 pp**
- F. **SB 938-A, written testimony, Catherine Ciarlo, 2 pp**
- G. **SB 938-A, written presentation, Ray Thomas, 5 pp**
- H. **HB 3374, -3 amendments, staff, 11 pp**
 - I. **SB 493, written testimony, Kat Iverson, 1 p**
 - J. **HB 2608, prepared testimony, Mike Balanesi and Ruth Bendl, 1 p**