

# SENATE COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

January 28, 2005  
10:00 A.M.

Hillsboro School District,  
Administration Center Board Room  
3083 NE 49<sup>th</sup> Place,  
Hillsboro, OR  
Tapes 11 - 13

**MEMBERS PRESENT:** Sen. Rick Metsger, Chair  
Sen. Bruce Starr, Vice-Chair  
Sen. Ryan Deckert  
Sen. Laurie Monnes Anderson

**MEMBER EXCUSED:** Sen. Jason Atkinson

**GUEST MEMBER:** Rep. Chuck Riley

**STAFF PRESENT:** Theresa Van Winkle, Committee Administrator  
James Goulding, Committee Assistant

**MEASURES/ISSUES HEARD:**  
Western Washington County Econ. Dev. – Informational Hearing  
SB 367 – Public Hearing  
SB 196 – Public Hearing  
SB 259 – Public Hearing and Work Session  
City of Forest Grove – Informational Hearing

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 11, A</b>		
003	Chair Metsger	Calls the meeting to order at 10:02 p.m. Welcomes the audience members to the first road committee of the session. Invites the public to testify and get involved. Introduces committee staff members Theresa Van Winkle and James Goulding. Asks the other committee members to introduce themselves.
020	Sen. Monnes Anderson	Senate District 25. Introduces herself and offers a brief overview of her district.
025	Rep. Chuck Riley	House District 29. Introduces himself and offers a brief overview of his district.
035	Sen. B. Starr	Senate District 15. Introduces himself, welcomes his constituents and voices his approval of taking the process to the people. Discusses some of the issues being faced in the county. Makes additional remarks.
060	Chair Metsger	Senate District 26. Introduces himself and outlines the purpose of the meeting. Opens the informational hearing.
<b><u>WESTERN WASHINGTON COUNTY ECONOMIC DEVELOPMENT – INFORMATIONAL HEARING</u></b>		
070	Larry Pederson	Economic Development Director, City of Hillsboro. Begins testimony on Western Washington County economic

		development. Gives overview of the county and business status. Discusses growth and difficulties faced over the last few years. Outlines economic changes and outlook. Points out the composition and population changes. Expounds upon the entrepreneurial spirit and the possibilities for growth. Cautions the technology sector is still fragile.
180	Chair Metsger	Thanks him for his testimony and recognizes Tom Hughes.
185	Mayor Tom Hughes	Mayor of Hillsboro. Welcomes the committee to Hillsboro. Gives an overview of the general economic situation of the city. Lauds the tax code changes as a major source of economic development. Discusses water and land use issues. Outlines technology-related industry issues. Talks about Intel development plan of new plant and the cooperation provided.
300	Hughes	Continues testimony, discussing frustrations that some legislative rulings have hampered the flexibility they need to develop new business planning. Provides details on zoning difficulties.
375	Chair Metsger	Thanks the mayor for his testimony. Asks Mr. Otterman to testify.
380	Don Otterman	City manager of North Plains. Begins discussion of his small city and the major issues being faced.
<b>TAPE 12, A</b>		
005	Otterman	Describes the environmental problems, especially with water quality. Talks about city efforts to improve the area. Expands on the proposals for urban renewal and the problems with getting the program launched. Ventures his opinion on urban growth boundaries and potential legislative remedies.
100	Chair Metsger	Thanks him for the testimony.
105	Sen. Monnes Anderson	Wonders what the land he proposes to be incorporated into North Plains is currently being used for.
110	Otterman	Replies that the land is about 144 acres of high and low level farm land.
115	Sen. Monnes Anderson	Asks if the lack of increase in the city's urban growth boundary is due to the current use of the land.
120	Otterman	Replies about the use of the land that is currently zoned for farmland.
150	Chair Metsger	Thanks Mr. Otterman for his testimony. Closes the informational hearing. Opens a public hearing on SB 367.
<b><u>SB 367 – PUBLIC HEARING</u></b>		
155	Theresa Van Winkle	Committee Administrator. Explains the measure.
160	Ron Louie	Hillsboro Police Department. Testifies in favor of requiring seatbelts in privately-owned commercial vehicles such as taxi cabs and shuttle vans. Explains the positive impact of prior seatbelts requirements.
205	Sen. Deckert	Asks if he is presenting the view of the chiefs of police association.
210	Louie	States it is his personal view. Outlines his experiences with accidents that could have been prevented by seat belts.
225	Chair Metsger	Thanks him for his testimony. Voices that this issue came about with the death of a figure skater's mother in a vehicle that was exempt from seat belt use. Expresses his concern about this loophole.
245	Marian Gaylord	Supervisor, City of Portland. Submits written testimony in favor of SB 367 ( <b>EXHIBIT A</b> ). Proposes they consider adding language to the measure that would allow for local exemptions or

		ordinances on the use of child safety seats.
325	Justin Dune	City of Portland. Testifies in favor of SB 367. Points out that the risk of a belligerent passenger attacking a driver is far less than the potential for injury of a driver not wearing a seatbelt.
		Reiterates that seatbelts save lives.
335	Chair Metsger	Replies in regards to exemptions for child safety seats. States he is interested in their approach.
360	Steve Entler	General Manager, Radio Cab Company. Testifies neither for or against the bill. Voices his experiences with cab driver safety and expresses his support for an amendment to the bill making seat belts mandatory for passengers and voluntary for drivers. Outlines the need for drivers to be able to vacate a vehicle quickly in the event of an emergency.
<b>TAPE 11, B</b>		
005	Chair Metsger	Asks if any sign is posted in the cab recommending use of seatbelts.
010	Entler	Replies that they had discussed the possibility. Describes the enormous amount of decals already posted inside most cabs.
		Notes that a proposal for such a notice is in the works.
015	Sen. B. Starr	Wonders if there are records of incidents involving taxi cab drivers.
025	Entler	Replies that cabs have an advantage in that they are larger than the average car. Discusses the high standards for hiring drivers with good driving records and ensuring proper training. Notes that most accident figures are kept by the insurance companies.
040	Sen. Monnes Anderson	Asks if he has any data on the number of altercations between drivers and passengers.
045	Entler	States they do more evening business, which increases the likelihood of picking up a dangerous passenger. Offers that they have not kept specific records. Acknowledges that the frequency of those types of incidents has come down in recent years.
060	Sen. Monnes Anderson	Wonders about passengers too large to fit in a normal safety belt. Asks if they have extenders to accommodate such passengers.
065	Entler	Replies he is not aware of any occurrences where a passenger could not fit into a seatbelt.
070	Sen. Deckert	Contrasts the high quality of taxi service in Oregon to the service he experienced in a recent trip to Mexico. Wonders about infant passengers needing car seats or otherwise.
085	Entler	Replies that it should be the responsibility of the parents to provide protective seats for their children. Remarks that it would be difficult to require drivers to carry additional equipment or pick up equipment for passengers.
100	Sen. Deckert	Asks how often parents bring children with them in cabs without a car seat.
105	Entler	Replies that it does occur, but he does not have specific data on it.
110	Chair Metsger	Thanks Mr. Entler for his testimony. Commends Committee Administrator Theresa Van Winkle for her work in contacting people in the taxi industry.
115	Rep. Riley	Takes a moment to recognize Richard Kidd, Mayor of Forest Grove, who is in attendance.
120	Cathy Bowles	Lake Oswego resident. Presents written testimony in favor SB 367 ( <b>EXHIBIT B</b> ). Presents a handout on Injury Prevention ( <b>EXHIBIT C</b> ). Details her experiences while riding in an airport

shuttle van.

180 Sen. B. Starr Asks if she is a participant in the Trauma Nurses Talk Tough (TNNT) program.

183 Bowles Responds that she is a member of TNNT, and primarily teaches the young driver program.

185 Sen. B. Starr Offers that he once attended TNNT and points out it is a very valuable resource, which has increased his awareness. Wonders if it should be the parent's responsibility to carry a car seat as opposed to making the cab company provide one.

205 Bowles Replies that parents are legally responsible for providing safety for their children in their own vehicle. Points out the problem is some parents do not provide their children with safety seats.

220 Sen. B. Starr Thanks her for her comments and offers that there will be additional testimony on this issue.

225 Chair Metsger Asks Troy Costales and Tamara Franks to testify.

230 Troy Costales Manager, Safety Division, Oregon Department of Transportation. Provides written testimony (**EXHIBIT D**). Presents a research report (**EXHIBIT E**) and a data chart of accidents (**EXHIBIT F**).

335 Sen. Monnes Points out Oregon has the second highest seatbelt fine in the Anderson nation.

345 Costales Discusses fines and citation laws.

370 Chair Metsger Submits that there are no exemptions in California and other areas. Wonders if other neighboring states have the requirement to use their safety belts.

380 Costales Clarifies the laws in neighboring states.

395 Tamara Franks Child Safety Seat Resource Center. Submits testimony in favor of SB 367 (**EXHIBIT G**). Also submits testimony from Ruth Harshfield (**EXHIBIT H**).

**TAPE 12, B**

005 Franks Continues to present her written testimony. Encourages inclusion of safety provisions for children of all ages in the bill.

045 Jeannette Thibert Radio Cab, taxi owner and driver. Points out the importance of using a seatbelt from personal experiences. Makes the case that not using a seatbelt can also be an important safety measure. Relates an incident where she picked up a dangerous passenger and had to bail out of a vehicle for her own safety. Voices her opposition for the bill, in light of passengers that have criminal intent.

100 Thibert Continues to testify on additional incidents where not wearing a seatbelt can be valuable. Relates the difficulty of low income families in being able to afford one or more child safety seats.

150 Elliot Eki Public Affairs Director, AAA of Oregon. States his endorsement for the bill as written. Asks that they keep the public safety as a main priority. States local cab drivers, and all over the country, are among the most aggressive drivers of all.

180 Sen. Deckert Comments that Ms. Thibert's testimony was very helpful.

185 Chair Metsger Feels the bill needs some more work, and that they now have a framework to build on. Closes public hearing on SB 367. Opens a public hearing on SB 196 and SB 259.

**SB 196, SB 259 – PUBLIC HEARING**

245 Bill Cross Oregon Landscape Contractor's Association. Asks that they address SB 196 first. Introduces John Gawlista.

255 John Gawlista President, Oregon Landscape Contractor's Association. Submits

270	Lee Stevenson	written testimony for Michael Snyder in favor of SB 196 ( <b>EXHIBIT I</b> ). Testifies in favor of the SB 196, feeling that having clearly marked vehicles increases the professionalism of the industry. Discusses the work involved to become licensed. Vice-President, Oregon Landscape Contractor's Association. Concurs with Mr. Gawlista's comments. Asserts his support for SB 196.
280	Cross	Submits written testimony in favor of SB 196 ( <b>EXHIBIT J</b> ). Notes that most licensed contractors already have their vehicles marked. Feels that requiring signage would assist in reduction of contractors operating without a license.
290	Chair Metsger	Asks if there are other contractor groups with similar requirements.
295	Cross	Responds that he doesn't know of any other group that requires that information on their vehicles.
310	Sen. Monnes Anderson	Notes her desire to know the specifics of the problem that the bill is fixing.
315	Cross	Replies that it addresses problems with unlicensed contractors. Notes consumer problems with unprofessional and uninsured work.
350	Sen. Monnes Anderson	Asks if there is data on problems that are being experienced.
365	Cross	Responds that there are about seven cases a month filed regarding issues of this nature. Offers that they don't know for sure how many problems are going unreported.
375	Sen. Monnes Anderson	Asks for clarification on the complaints received.
380	Cross	Clarifies the complaints are usually with unlicensed contractor work harmful to a consumer.
390	Sen. B. Starr	Wonders if a homeowner hires a maintenance worker to do a small amount of landscaping on the side, would they be in violation of the proposed law.
400	Cross	Replies that there is an exemption for maintenance work. Offers that if more than five hundred dollars worth of unlicensed landscape work is performed annually it would be a violation.

**TAPE 13, A**

003	Chair Metsger	Closes the public hearing on SB 196. Continues Public hearing on SB 259.
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**SB 259 – PUBLIC HEARING**

007	Bill Cross	Oregon Society of Association Management. Submits written testimony in favor of Senate Bill 259 ( <b>EXHIBIT K</b> ). Submits written testimony of Jessica Harris Adamson in favor of SB 259 ( <b>EXHIBIT L</b> ).
030	Chair Metsger	Asks if this would change the bylaws of any organization as it would only allow electronic participation.
035	Cross	Clarifies that organizations would have to amend their bylaws to accommodate the change. Notes they would not be required to, but would now have the option.
040	Chair Metsger	Thanks him for his testimony. Closes Public Hearing on SB 259. Opens Work Session on SB 259.

**SB 259 – WORK SESSION**

042	Sen. B. Starr	<b>MOTION: Moves SB 259 to the floor with a DO PASS recommendation.</b>
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**VOTE: 4-0-1**

**EXCUSED: 1 – Atkinson**

**045 Chair Metsger Hearing no objection, declares the motion CARRIED. SEN. MONNES ANDERSON will lead discussion on the floor.**

047 Chair Metsger Closes work session. Recognizes the testimony of the mayor of Forest Grove.

**CITY OF FOREST GROVE – INFORMATIONAL HEARING**

060 Richard Kidd Mayor, City of Forest Grove. Offers informational hearing on status of Forest Grove. Talks about urban growth boundary jurisdictions. Continues to outline the status of Forrest Grove and future industries.

165 Chair Metsger Thanks him for his testimony and patience.

170 Sen. Deckert Relays the problems with the Portland Metro area encroaching on smaller cities. Feels there is a need for reform.

180 Kidd Replies he is a member of the Metro Policy Advisory Committee (MPAC). Describes the reporting needed for funding of different programs. Voices how difficult it is for smaller cities to complete the reports with such limited staff.

200 Sen. Deckert Comments they need to get MPAC back to their mission.

210 Kidd Remarks on the slow “creep” of urban development.

215 Sen. B. Starr Voices that this is a clear example of the interplay of land use, transportation, and economic development.

235 Kidd Concludes by stating that this issue is happening all over the region.

240 Rep. Riley Echoes the comments of Sen. B. Starr. Adds that he agrees that there needs to be a limit to the creep.

250 Chair Metsger Adjourns the committee at 12:11 p.m.

**EXHIBIT SUMMARY**

- A. **SB 367, Written testimony, Marion Gaylord, 2 pp**
- B. **SB 367, Written testimony, Cathy Bowles, 1 p**
- C. **SB 367, Injury Prevention Handout, Cathy Bowles, 6 pp**
- D. **SB 367, Written testimony, Troy Costles, 1 p**
- E. **SB 367, Research Note on Safety Belt Use, Troy Costles, 7 pp**
- F. **SB 367, ODOT Seatbelt Data Chart, Troy Costles, 4 pp**
- G. **SB 367, Written testimony, Tamara Franks, 1 p**
- H. **SB 367, Written testimony of Ruth Harshfield, Tamara Franks 2 pp**
- I. **SB 196, Written Testimony of Michael Snyder, John Gawlista 1 p**
- J. **SB 196, Written testimony, Bill Cross, 2 pp**
- K. **SB 259, Written testimony, Bill Cross, 2 pp**
- L. **SB 259, Written testimony of Jessica Harris Adamson, Bill Cross, 1 p**