

SENATE COMMITTEE ON TRANSPORTATION

March 21, 2005
3:10 P.M.

Hearing Room C
Tapes 35 - 36

MEMBERS PRESENT: **Sen. Joanne Verger, Chair**
 Sen. Doug Whitsett, Vice-Chair
 Sen. Rick Metsger
 Sen. Floyd Prozanski
 Sen. Bruce Starr

STAFF PRESENT: **Judith Callens, Committee Administrator**
 James Goulding, Committee Assistant

MEASURES/ISSUES HEARD:
 SB 76 – Work Session
 SB 868 – Public Hearing
 SB 558 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 35, A		
003	Chair Verger	Calls the committee to order at 3:14 p.m. Remarks that SB 317 will not be heard today. Opens a work session on SB 76.
<u>SB 76 – WORK SESSION</u>		
015	Judith Callens	Committee Administrator. Explains the bill and the -1 amendments (EXHIBIT A).
027	Chair Verger	Asks Robin Freeman to come forward to answer question regarding SB 76.
035	Robin Freeman	Oregon Department of Transportation (ODOT). Answers Sen. Verger's question regarding SB 76.
045	Sen. Whitsett	MOTION: Moves to ADOPT SB 76-1 amendments dated 3/18/05.
		VOTE: 3-0-2
		EXCUSED: 2 - Sen. Prozanski, Sen. B. Starr
		Hearing no objection, declares the motion CARRIED.
050	Chair Verger Sen. Whitsett	MOTION: Moves SB 76 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-0-1
		EXCUSED: 1 - Sen. Prozanski
		Hearing no objection, declares the motion CARRIED.
		SEN. WHITSETT will lead discussion on the floor.
060	Chair Verger	Closes work session on SB 76. Opens public hearing on SB 868.
<u>SB 868 – PUBLIC HEARING</u>		
061	Judith Callens	Committee Administrator. Gives overview of SB 868.
070	Bob Russell	President, Oregon Trucking Associations, Inc. Presents written testimony in favor of SB 868 (EXHIBIT B). Testifies in favor of SB 868.
133	Chair Verger	Asks for an example of why a truck driver would not pay to get

the permit.

137 Russell Replies that they may not know a permit is required or they may not know their permit has expired.

145 Chair Verger Asks if the reduction in penalty is for first time only.

148 Russell Replies yes.

150 Sen. Prozanski Wonders about setting up ignorance as a defense for this class of individuals.

157 Russell Directs Sen. Prozanski to the section of the bill that specifies a one time only penalty reduction.

173 Chair Verger Notes a letter submitted for the record from the City of Portland (**EXHIBIT C**).

175 Bradd Swank Government Relations, Oregon Judicial Department. Suggests changes to SB 868. Advises various language changes.

220 Chair Verger Asks Mr. Russell to work with Mr. Swank on amendments to SB 868. Asks if Russell has seen the opposing letter from the City of Portland.

225 Russell Replies yes.

230 Chair Verger Closes public hearing on SB 868. Opens public hearing on SB 558.

SB 558 – PUBLIC HEARING

240 Judith Callens Committee Administrator. Explains provisions of SB 558.

257 Chair Verger Puts the committee at ease at 3:33 p.m.

258 Chair Verger Calls the committee back at 3:35 p.m.

265 Sen. Bill Morrisette Represents Senate District 6. Testifies in favor of SB 558.

325 Rep. Paul Holvey Represents House District 8. Testifies in favor of SB 558.

327 Sen. Prozanski Asks Rep. Holvey to identify himself for the record.

335 Rep. Holvey Identifies himself for the record. Presents written testimony in favor of SB 558 (**EXHIBIT D**). Continues testimony on SB 558.

365 Chair Verger Asks if Sen. Morrisette thinks that the community at large feels that a change needs to be made.

370 Sen. Morrisette Responds to Sen. Verger's question.

TAPE 36, A

005 Sen. Whitsett Questions the election methods of transit districts around the state.

010 Sen. Morrisette Talks about various transportation districts.

017 Sen. Whitsett Wonders if the transit employees are represented on the Lane Transit District (LTD) Board.

020 Sen. Morrisette Replies no.

023 Rep. Holvey Adds that the LTD uses other taxes besides the payroll tax.

033 Roger Martin Executive Director, Oregon Transit Association. Testifies in opposition to SB 558. Provides background on previous efforts to address this issue.

065 Martin Relates how the previous legislatures established the transit boards and why it has been effective in selecting members.

100 Martin Details the few places in the nation that elect their transit board members and the problems involved. Mentions the recently resolved Lane Transit strike.

107 Sen. Prozanski Points out he did not draft this bill to address that specific problem.

109 Martin Clarifies that he was not stating that was the intent behind the legislation.

113 Sen. Prozanski Asks if Martin is aware that self-employed individuals are taxed under the system.

117 Martin Affirms he is aware.

140 Doug Barber Lane Transit District (LTD). Submits written testimony in opposition to SB 558 (**EXHIBIT E**). Testifies in opposition to SB 558.

175 Andy Vobora Director of Marketing, LTD. Discusses a chart of operating characteristics (**EXHIBIT F**). Outlines how the chart demonstrates that the LTD has been effective in its financial management.

230 Jim Markee Amalgamated Transit Union 757 (ATU). Testifies in favor of SB 558. Notes that they are supportive of the bill but clarifies that they were not behind the drafting of the measure.

270 Markee Discusses the problem of people appointed by the Governor not being among those that pay the taxes in the district they serve. Notes that boards can be very political even without the election process.

310 Markee Feels an elected process provides greater accountability to the community. Outlines those served by ATU.

325 Jonathan Hunt Vice President, ATU. Testifies in favor of SB 558. Describes problems with current appointed board membership. Points out problems with recent LTD strike.

375 Hunt Talks about the lack of board interaction in resolving the strike.

410 Hunt Notes that having a board accountable to the people would assist in resolving such problems.

TAPE 35, B

003 Carol Alldred Bus driver, ATU. Testifies in favor of SB 558.

043 Terry Connolly Director of Government Affairs, Eugene Area Chamber of Commerce. Submits written testimony in opposition to SB 558 (**EXHIBIT G**). Testifies in opposition to SB 558.

075 Connolly Explains why the current executive appointment process is effective.

085 Jack Roberts Lane Metro Partnership. Testifies in opposition to SB 558. Feels it should address all districts and not certain areas of the state.

120 Roberts Continues testimony in regards to the electoral system not providing the membership needed for such a specific interest group.

140 Roberts Talks about a problem similar to the transit strike but with an elected school board. Observes electing board membership will not resolve such problems.

170 Sen. Prozanski Thanks Mr. Roberts for his role in resolving the strike. Notes that they don't have anyone from the board to testify. Asks if there is a way to provide a fresh perspective to the board outside of the appointment process.

195 Roberts Notes he is testifying from his own perspective. Replies that there are a lot of unknowns with his suggestion. Wonders if it would really solve any problems, but feels it could be considered.

227 Connelly Feels the current board is accessible.

240 Chair Verger Expresses admiration for their metro system.

257 David Hinkley Resident, Eugene, Oregon. Presents written testimony in favor of SB 558, noting some possible changes to the measure (**EXHIBIT H**).

330 Hinkley Suggest changes to SB 558.

360 Hinkley Stresses that the changes should have been made a long time ago.

395	Joseph Hubbell	Resident, Lane County. Testifies in favor of SB 558. Relays some of the history of LTD.
TAPE 36, B		
005	Hubbell	Talks about low rider ship areas and large cuts made to metro service areas.
020	Hubbell	Relates his community involvement and his observations of public dissatisfaction with the current board.
073	Hubbell	Comments that the board follows management recommendations and does not think outside of that perspective. Feels they do not represent everyone in the district.
085	Chair Verger	Reiterates his observations. Asks that he conclude his testimony.
093	Hubbell	Concludes by discussing the decline in service he has witnessed.
103	Chair Verger	Comments on SB 558.
113	Hubbell	Responds to comments.
117	Chair Verger	Observes the discussion has been valuable. Closes public hearing on SB 558. Adjourns the meeting at 4:48 p.m.

EXHIBIT SUMMARY

- A. **SB 76, -1 amendments, staff, 3 pp**
- B. **SB 868, written testimony, Bob Russell, 2 pp**
- C. **SB 868, written testimony, Susan Schneider, 1 p**
- D. **SB 558, written testimony, Rep. Paul Holvey, 1 p**
- E. **SB 558, written testimony, Doug Barber, 1 p**
- F. **SB 558, chart, Andy Vobora, 1 p**
- G. **SB 558, written testimony, Terry Connolly, 1 p**
- H. **SB 558, written testimony, David Hinkley, 2 pp**