

## SENATE COMMITTEE ON TRANSPORTATION

April 25, 2005  
3:10 P.M.

Hearing Room C  
Tapes 55 - 57

**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 680 – Public Hearing**  
**HB 2106 A – Public Hearing and Work Session**  
**HB 2267 – Public Hearing and Work Session**

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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 55, A</b>		
003	Chair Verger	Calls the committee to order at 3:17 p.m. Opens a public hearing on SB 680.
<b><u>SB 680 – PUBLIC HEARING</u></b>		
015	Judith Callens	Committee Administrator. Explains the provisions of the measure. Describes the differences between the -3 ( <b>EXHIBIT A</b> ) and -5 amendments before the committee ( <b>EXHIBIT B</b> ).
045	Sen. Prozanski	Requests additional clarification on the -5 amendments.
050	Chair Verger	Asks that Sen. Johnson come forward to testify and answer Sen. Prozanski's question.
055	Sen. Betsy Johnson	Senate District 16. Testifies in favor of SB 680 and the -5 amendments. Provides greater detail on "through-the-fence" airport operations.
090	Sen. Johnson	Details the advantages presented for rural airports.
119	Sen. Metsger	Clarifies that she is talking about the bill with the -5 amendments.
121	Sen. Johnson	Replies that she is testifying on SB 680 with the -5 amendments. Continues to detail the measure.
157	Sen. Johnson	Explains the importance of development of airports across the state.
179	Sen. Whitsett	Notes concerns of the FFA in regards to this measure.
190	Sen. Johnson	Relates that the FFA will not take away the funding. States that "through-the-fence" is not the FFA's preference.
227	Sen. B. Starr	Expresses confusion on what the measure does and asks if it would apply to the Hillsboro airport.
233	Sen. Johnson	Replies that airports have to request to be included in this measure.

240	Sen. B. Starr	Asks for clarification regarding what the measure proposes for Hillsboro.
244	Sen. Johnson	Clarifies what the measure does.
270	Sen. Johnson	Talks about the federal grant process and the agreements with local airports.
279	Sen. Prozanski	Asks for clarification regarding page three, lines ten through twelve of the -3 amendments.
290	Sen. Johnson	Explains what it means.
297	Sen. Metsger	Wonders about Columbia Helicopters.
300	Sen. Johnson	Replies that they are “through-the-fence”. Clarifies that they may have some lease holding as well.
325	Gary Oxley	Oxley and Associates. Testifies in favor of SB 680. Notes that this measure is not a mandate and stresses that it is entirely voluntary. Feels this bill addresses the development of local businesses near rural airports.
375	Oxley	Asks for specific individuals to come forward to testify.
399	Jerry Dale	Chairman, Oregon Aviation Business Association (OABA). Testifies in favor of SB 680.
<b>TAPE 56, A</b>		
005	Dale	Notes that “through-the-fence” simply allows use of public airport facilities by private citizens.
035	Dale	Advocates the need for more private operations at public airports.
040	Sen. Prozanski	Questions if the measure would require a public facility to sell some of its land for private ownership.
045	Dale	Replies no.
050	Chair Verger	Asks for clarity of the ownership.
053	Dale	Responds.
059	Ted Millar	Westwood Development, Aurora. Testifies in favor of SB 680. Discusses his business operations in rural communities and the need for airports in economic development.
095	Millar	Talks about Oregon creating a successful model for expanding rural airport operations.
101	Chair Verger	Remarks on the size of Aurora airport.
105	Millar	Relays the size and investment in the airport.
122	Sen. Metsger	Clarifies the location of the potential growth of Aurora.
125	Millar	Explains.
130	Richard Van Grunsven	Van’s Aircraft, Inc. Presents written testimony in favor of SB 680 ( <b>EXHIBIT C</b> ).
175	Van Grunsven	Talks about the needs of independent, small business people.
203	Chair Verger	Remarks on the enthusiasm of those working in aviation.
219	Sen. Metsger	Observes that many of his airplane kits are still being assembled.
224	Van Grunsven	Comments on the time consuming nature of building an airplane.
237	Chair Verger	Congratulates Mr. Van Grunsven on his “Freedom of Flight” Award. Asks about his background.
245	Van Grunsven	Talks about his service in the United States Air Force and aviation career.
263	Joel Scoggins	Columbia Helicopters. Offers background of the company and the operation of private, heavy-lift, helicopters.
300	Scoggins	Discusses Port-of-Portland requiring them to move from Swan Island to Aurora. Notes the reluctance to invest in a location with the fear of being forced to move.
340	Scoggins	Speaks in favor of SB 680 and the issues it will help address.
370	Chair Verger	Points out her take on the language of the measure.

379	Scoggins	Offers that the -3 amendments had stronger language. Hopes for additional cooperation from counties.
<b>TAPE 55, B</b>		
005	Scoggins	Feels this measure makes positive changes for all parties.
035	Bob Hidley	Director, Oregon Department of Aviation. Remarks that the board does not have an official position on SB 680. Feels they are already doing what is contained in the bill.
053	Bob Rindy	Oregon Department of Land Conservation Development (LCDC). Remarks that the department does not have a position, but feels LCDC will have to adapt its rules to accommodate SB 680. Asks for additional clarity in what they are being asked to do in the measure.
090	Rindy	Notes the technical issues they have on the measure. Feels there is a lack of clarity in some of the language.
103	Chair Verger	Asks if he is familiar with what the bill is aimed at.
109	Rindy	Replies to question.
135	Robert Noble	Manager, Eugene Airport, City of Eugene. Presents written testimony in opposition to SB 680 ( <b>EXHIBIT D</b> ).
180	Noble	Opposes SB 680 and feels it would disrupt previous airport planning efforts.
210	Noble	Relates “through-the-fence” airport security and fee concerns.
225	Chair Verger	Points out the language he is referring to has changed in the -5 amendments.
227	Noble	Concurs, but feels it is still similar.
241	Chair Verger	Asks if he feels the current system is effective for economic development.
247	Noble	Notes the process at Aurora Airport. Relates how the Eugene Airport had to deal with this issue.
260	Sen. Metsger	Recalls his testimony on security. Wonders how this measure would compromise airport security.
271	Noble	Replies that it would not change security procedures, but it would make it harder to regulate airport users.
279	Sen. Metsger	Asks how security would be compromised by the measure.
280	Noble	Responds.
283	Sen. B. Starr	Asks about his perceived inconsistency with the measure.
295	Noble	Responds to question.
321	Sen. Prozanski	Wonders if there are any “through-the-fence” operations in Eugene.
322	Noble	Replies there are none at the Eugene Airport.
340	Daren Griffin	President, Oregon Airport Management Association. Provides written testimony in opposition to SB 680 ( <b>EXHIBIT E</b> ).
<b>TAPE 56, B</b>		
010	Griffin	Notes the amount of land available for development around rural airports.
022	Chair Verger	Mentions Sen. Johnson’s testimony that it is not aimed at commercial air service. Clarifies that Griffin is referring to general aviation specifically.
026	Griffin	Clarifies that his remarks are focused on general aviation airports in Oregon.
027	Sen. Metsger	Wonders how much has been invested in general aviation airports that do not have commercial service.
030	Griffin	Replies that it is less than half.
039	Sen. Metsger	Asks if there is a history of how “through-the-fence” has worked at airports.

043	Griffin	Responds.
052	Sen. Prozanski	Asks what the guidelines are for long term leases.
054	Griffin	Replies that the FAA guidelines for long term leases is thirty years.
072	Dennis Winningstad	General Manager, Central Oregon Coast Air Services. Testifies in favor of SB 680.
077	Gina Thompson	Scappoose Airport. Testifies in favor SB 680. Talks about improving aviation.
116	Sen. Prozanski	Questions the impact of the measure on her operations.
120	Thompson	Replies it will assist in creating jobs.
135	John Cox	Oregon Pilots. Presents written testimony in favor of SB 680 ( <b>EXHIBIT F</b> ).
200	Cox	Feels this measure is a viable business tool.
217	Sen. Whitsett	Considers the impact of a sunset on potential development.
220	Cox	Responds to question regarding the sunset.
226	Aron Faegre	Aron Faegre and Associates. Replies in regards to the sunset. Presents written testimony ( <b>EXHIBIT G</b> ) and a booklet ( <b>EXHIBIT H</b> ).
354	Chair Verger	Closes public hearing on SB 680. Opens public hearing on HB 2106 A.

#### **HB 2106 A – PUBLIC HEARING**

361	Judith Callens	Committee Administrator. Explains the measure.
367	Robin Freeman	Oregon Department of Transportation. Testifies in favor of HB 2106 A.
393	Chair Verger	Requests an example of where it would occur.
397	Freeman	Illustrates where it would occur.

#### **TAPE 57, A**

001	Sen. B. Starr	Questions the emergency clause in the measure.
005	Freeman	States the need to correct this quickly.
011	Chair Verger	Closes public hearing and opens work session on HB 2106 A.

#### **HB 2106 A – WORK SESSION**

013	Sen. Whitsett	<b>MOTION: Moves HB 2106 A to the floor with a DO PASS recommendation.</b>
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**VOTE: 5-0-0**

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

**SEN. WHITSETT will lead discussion on the floor.**

Closes work session and opens a public hearing on HB 2267.

018	Chair Verger
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#### **HB 2267 – PUBLIC HEARING**

021	Judith Callens	Committee Administrator. Gives overview of HB 2267.
026	Paul Donheffner	State Marine Board. Presents written testimony submitted for the record ( <b>EXHIBIT I</b> ).
057	Chair Verger	Asks if they applied for federal funds.
065	Donheffner	Replies it relates back to a court case. Notes the convolution in the current statute.
075	Sen. Prozanski	Asks if there is a need for an emergency clause.
082	Donheffner	Responds that an emergency clause is not needed.
090	Chair Verger	Closes public hearing and opens work session on HB 2267.

#### **HB 2267 – WORK SESSION**

092	Sen. Whitsett	<b>MOTION: Moves HB 2267 to the floor with a DO PASS recommendation.</b>
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**VOTE: 5-0-0**

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

**SEN. PROZANSKI will lead discussion on the floor.**

**Chair Verger**

**EXHIBIT SUMMARY**

- A. **SB 680, -3 amendments, staff, 5 pp**
- B. **SB 680, -5 amendments, staff, 5 pp**
- C. **SB 680, written testimony, Richard Van Grunsven, 2pp**
- D. **SB 680, written testimony, Robert Noble, 2 pp**
- E. **SB 680, written testimony, Daren Griffin, 2 pp**
- F. **SB 680, written testimony, John Cox, 3 pp**
- G. **SB 680, written testimony, Aron Faegre, 3 pp**
- H. **SB 680, booklet, Aron Faegre, 21 pp**
- I. **HB 2267, written testimony, Paul Donheffner, 2 pp**