

# HOUSE COMMITTEE ON TRANSPORTATION

May 14, 2003 Hearing Room 357

8:00 AM Tapes 105 – 106

**MEMBERS PRESENT:**       Rep. Alan Brown, Chair  
                                  Rep. Elizabeth Beyer, Vice-Chair  
                                  Rep. John Mabrey Vice-Chair  
                                  Rep. Jackie Dingfelder  
                                  Rep. George Gilman  
                                  Rep. Mitch Greenlick  
                                  Rep. Cliff Zauner

**STAFF PRESENT:**         Janet Adkins, Administrator  
                                  Ryan Sherlock, Assistant

**MEASURE/ISSUES HEARD:**       SB 596A – Work Session  
                                  SB 549A – Public Hearing  
                                  SB 83A – Work Session  
                                  HB 2217 – Work Session  
                                  SB 508A – 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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>Tape 105, A</b>		
003	Chair Brown	Calls meeting to order at 8:10 a.m., and opens a work session on SB 596A.
<b><u>SB 596A – WORK SESSION</u></b>		
005	Janet Adkins	Committee Administrator. Offers a description of SB 596A, and the proposed –A3 amendments ( <b>EXHIBIT A</b> ).
030	Rep. Greenlick	Clarifies the effects on statute of the proposed –A3 amendments.
035	Adkins	Further comments on the effects of the –A3 amendments.
040	John Powell	Oregon State Sheriffs Association. Indicates his groups support for the –A3 amendments.
045	Larry Campbell	American Automobile Association. Indicates his groups support for the –A3 amendments.
<b>050</b>	<b>Chair Brown</b>	<b>MOTION: Moves to ADOPT SB 596A-3 amendments dated 05/13/03.</b>
		<b>VOTE: 7-0</b>
	<b>Chair Brown</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>055</b>	<b>Chair Brown</b>	<b>MOTION: Moves SB 596A to the floor with a DO PASS AS AMENDED recommendation.</b>
<b>060</b>		<b>VOTE: 7-0</b>
		<b>AYE:       In a roll call vote, all members present vote Aye.</b>
	<b>Chair</b>	<b>The motion CARRIES.</b>
<b>065</b>	<b>Rep. Greenlick</b>	<b>MOTION: Moves SB 596A be placed on the CONSENT CALENDAR.</b>
		<b>VOTE: 7-0</b>

	<b>Chair Brown</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
070	Chair Brown	Closes the work session on SB 596A, and opens a public hearing on SB 549A.
	<b><u>SB 549A – PUBLIC HEARING</u></b>	
075	Janet Adkins	Committee Administrator. Offers a description of SB 549A, with reference to the issued fiscal impact statement ( <b>EXHIBIT B</b> ), and issued revenue impact statement ( <b>EXHIBIT C</b> ).
085	Olivia Clark	TriMet. Offers written testimony and packet ( <b>EXHIBIT D</b> ) in support of SB 549A, with reference to submitted news article ( <b>EXHIBIT E</b> ).
110	Fred Hansen	TriMet. Offers testimony in support of SB 549A.
200	Rep. Greenlick	Indicates his support for the bill, but questions the amendments which were applied on the Senate side.
205	Hansen	Comments on the Senate amendments to SB 549.
210	Rep. Dingfelder	Points out her constituents' support for TriMet. Clarifies that there has not been a rate increase since 1969.
220	Hansen	Discusses the history of the rate caps which were implemented on the payroll tax.
235	Lynn Lundquist	Oregon Business Association. Offers testimony in support of SB 549A.
285	Rep. Zauner	Asks whether the restaurant association still opposes the bill.
290	Lundquist	Explains that he does not know.
295	Rep. Zauner	Asks what happens if during the ten year phase-in, after two years there is an economic downturn.
300	Hansen	Comments on the situation presented by Rep. Zauner.
305	Rep. Mabrey	Clarifies the revenue impact of the bill.
320	Hansen	Acknowledges, and comments on that revenue impact.
330	Rep. Mabrey	Clarifies the intent of the bill.
335	Rep. Zauner	Asks about the Senate vote on the bill.
340	Hansen	Comments on the Senate vote.
350	Linda Lynch	Lane Transit District (LTD). Offers written testimony packet ( <b>EXHIBIT F</b> ) in support of SB 549A.
	<b>TAPE 106, A</b>	
005	Mike Salsgiver	Portland Business Alliance. Offers testimony in support of SB 549A.
035	Rep. Beyer	Asks for Ms. Lynch to address where LTD is with the rate.
045	Lynch	Indicates that LTD is at the cap with their rate, and further discusses the LTD rate history.
050	Rep. Zauner	Asks whether LTD should be at the top of the cap in light of the recent economic downturn.
055	Lynch	Points out the business groups which support the bill even considering the current economic climate.
060	Rep. Zauner	Asks whether the cap has ever gone down.
065	Lynch	Explains that the cap has not changed since 1969.
070	John Charles	Cascade Policy Institute. Offers written testimony ( <b>EXHIBIT G</b> ) in opposition to SB 549A.
225	Rep. Greenlick	Comments on the arguments offered by Mr. Charles. Asks why local Portland businesses support TriMet.
240	Charles	Discusses his research regarding Rose City Transit, and comments taxation of businesses.
245	Rep. Greenlick	Clarifies that Mr. Charles is not speaking for the business community.
250	Charles	Acknowledges, that he does not represent the business

		community, and points out that his group is a free market think tank.
255	Rep. Greenlick	Clarifies that Mr. Charles group then would be against the bill because it is a government enterprise.
260	Charles	Explains that he is opposed to placing the funding of TriMet on the businesses, and further discusses the funding issue.
270	Rep. Gilman	Clarifies that Mr. Charles proposes to eliminate the “free zone.” Points out those benefits of the free zone.
280	Charles	Expresses his concerns with the “free zone” and outlines the problems it creates as he sees it.
305	Jeff Carlson	Iron Workers, Local 29. Offers testimony in support of SB 549A.
355	Chair Brown	Asks that Mr. Hansen address the concerns raised by Mr. Charles.
360	Hansen	Points out that TriMet is not apart of the PERS program, and further discusses TriMet’s benefit program.

**TAPE 105, B**

005	Chair Brown	Closes the public hearing on SB 549A, and opens a work session on SB 83A.
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**SB 83A – WORK SESSION**

010	Janet Adkins	Committee Administrator. Offers a description of SB 83A, and introduces the proposed –A3 amendments ( <b>EXHIBIT H</b> ).
015	<b>Rep. Dingfelder</b>	<b>MOTION: Moves to ADOPT SB 83A-3 amendments dated 05/01/03.</b>
		<b>VOTE: 7-0</b>
	<b>Chair Brown</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
020	<b>Rep. Dingfelder</b>	<b>MOTION: Moves SB 83A to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.</b>
		<b>VOTE: 7-0</b>
	<b>Chair Brown</b>	<b>AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.</b>
	Chair Brown	Closes the work session on SB 83A, and opens a work session on HB 2217.

**HB 2217 – WORK SESSION**

050	Janet Adkins	Committee Administrator. Offers a description of HB 2217.
060	Rep. Dingfelder	Asks how much the federal funding in question is.
065	Chair Brown	Indicates the federal funding as \$4.8 million per biennium.
070	Adkins	Continues with the description of the issue, and introduces the proposed -2 amendments ( <b>EXHIBIT I</b> ).
072	Chair Brown	Points out that this would put into statute what the department currently practices.
075	Rep. Greenlick	Asks whether the exemption for “intrastate commerce” created by the amendments would still place the federal funding in question.
080	Adkins	Comments on the language in question, explaining that the federal funding would be safe.
085	Rep. Greenlick	Further clarifies the possible risk to the federal funds.
090	Adkins	Acknowledges the clarification.
095	Gregg Dal Ponte	Oregon Department of Transportation. Offers testimony in support of HB 2217 and the proposed -2 amendments.
105	Chair Brown	Discusses the recent debate over the issue, clarifies that the agreement which has been reached with the farm interests would

110	Dal Ponte	divert the funding to the State Police rather than ODOT.
120	Jean Wilkinson	Discusses the accounting issue.
145	Rep. Zauner	Oregon Farm Bureau. Offers testimony in opposition to HB 2217, but in favor of the proposed -2 amendments.
150	Wilkinson	Asks whether the farmers will ever be comfortable with the bill.
160	Rep. Beyer	Points out that they will have to become comfortable, and further discusses the issue.
175	Wilkinson	Clarifies that Oregon is the only state which has not accepted this change. Asks Ms. Wilkinson if she has been in contact with the farm interests from other states regarding the affects on them due to compliance.
185	Chair Brown	Explains that she has not talked with any other states, but further discusses the issue.
190	Dal Ponte	Thanks Ms. Wilkinson for her testimony. Asks Mr. Dal Ponte to address the time frame of implementing the new regulations.
210	Rep. Zauner	Points out that the bill does have an emergency clause which makes it effective upon passage, but comments on the extension of implementation until after the fall harvest.
215	Dal Ponte	Thanks Mr. Dal Ponte for his work with the farmers in his district.
220	Sen. Chair Brown	Acknowledges. <b>MOTION: Moves to ADOPT HB 2217-2 amendments dated 05/13/03.</b>
225	Chair Brown Rep. Beyer	<b>VOTE: 7-0</b> <b>Hearing no objection, declares the motion CARRIED.</b> <b>MOTION: Moves HB 2217 to the floor with a DO PASS AS AMENDED recommendation.</b>
230	Rep. Mabrey	Points out his problems with intricacies of the issues on both sides, but expresses his support for the bill.
265	Rep. Gilman	Comments on his problems with the bill and expresses his intent to vote No on the bill.
275	Rep. Beyer	Agrees that farm vehicles do represent a small safety concern, but expresses her concerns for losing the federal money.
290	Chair Brown	Indicates her support for the bill.
315	Rep. Greenlick	Comments on the inspection process, and their impact on the farm industry, and the other issues at hand.
345	Chair Brown	Comments on the Oregon agriculture industry and economy. <b>VOTE: 6-1</b> <b>AYE: 6 - Beyer, Dingfelder, Greenlick, Mabrey, Zauner, Brown</b> <b>NAY: 1 - Gilman</b> <b>The motion CARRIES.</b> <b>REP. BEYER will lead discussion on the floor.</b>
355	Chair Brown	Closes the work session on HB 2217, and opens a work session on SB 508A.
<b><u>SB 508A – WORK SESSION</u></b>		
360	Janet Adkins	Committee Administrator. Offers a description of SB 508A, and the proposed –A2 amendments ( <b>EXHIBIT J</b> ).
400	Kelly Taylor	Oregon Department of Transportation. Offers testimony in support of SB 508A.
<b>TAPE 106, B</b>		
035	Chair Brown	Asks Ms. Taylor to address the changes in the -2 amendments.
040	Taylor	Comments on the affects of, and reasoning for the -2

		amendments.
050	Rep. Greenlick	Asks for a clarification of which type of plate is considered in the -2 amendments.
055	Taylor	Discusses which plates are included.
060	Rep. Greenlick	Asks how many types of plates there are.
061	Taylor	Comments on the different plates.
065	Rep. Greenlick	Clarifies that the current number of plates would be the maximum.
066	Taylor	Acknowledges, explaining that to create a new plate would require the elimination of a current one.
070	Adkins	Comments on the statutory changes.
075	Rep. Mabrey	<b>MOTION: Moves to ADOPT SB 508A-2 amendments dated 05/08/03.</b>
		<b>VOTE: 7-0</b>
	Chair Brown	<b>Hearing no objection, declares the motion CARRIED.</b>
080	Rep. Mabrey	<b>MOTION: Moves SB 508A to the floor with a DO PASS AS AMENDED recommendation.</b>
085		<b>VOTE: 7-0</b>
	Chair Brown	<b>AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.</b>
090	Rep. Dingfelder	<b>MOTION: Moves SB 508A be placed on the CONSENT CALENDAR.</b>
		<b>VOTE: 7-0</b>
	Chair Brown	<b>Hearing no objection, declares the motion CARRIED.</b>
	Chair Brown	Closes the work session on SB 508A.
095	Committee	Discusses the upcoming schedule for the committee.
100	Chair Brown	Adjourns the meeting at 9:39 a.m.

## EXHIBIT SUMMARY

- A – SB 596A, -A3 amendments, Staff, 1 p.**
- B – SB 549A, fiscal impact statement, Staff, 1 p.**
- C – SB 549A, revenue impact statement, Staff, 1 p.**
- D – SB 549A, written testimony packet, Olivia Clark, 15 pp.**
- E – SB 549A, submitted news article, Olivia Clark, 2 pp.**
- F – SB 549A, written testimony packet, Linda Lynch, 4 pp.**
- G – SB 549A, written testimony, John Charles, 7 pp.**
- H – SB 83A, -A3 amendments, Staff, 1 p.**
- I – HB 2217, -2 amendments, Staff, 1 p.**
- J – SB 508A, -2 amendments, Staff, 3 pp.**