

HOUSE COMMITTEE ON TRANSPORTATION

May 07, 2003 Hearing Room 357
8:30 AM Tapes 101 – 102

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: HB 3058 – Public Hearing and Work Session
SB 471A – Work Session
SB 771A – Public Hearing
SB 661A – Public Hearing and Work Session
SB 663A – Public Hearing and Work Session
SB 183 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
Tape 101, A		
003	Chair Brown	Calls meeting to order at 8:37 a.m., and opens a public hearing on HB 3058.
<u>HB 3058 – PUBLIC HEARING</u>		
005	Senator Joan Dukes	Senate District 16. Offers testimony in support of HB 3058-2, with reference to the -2 amendments (EXHIBIT A) which replace the language of the original bill.
040	John Stubenthal	Oregon Liquor Control Commission. Offers testimony in support of HB 3058-2.
055	Rep. Greenlick	Clarifies that military identification has the date of birth.
060	Sen. Dukes	Acknowledges, and explains the change from the old to new identification cards. Points out these ID's are seldom counterfeited.
070	Rep. Zauner	Asks whether, without a physical description, how the individual can be identified.
075	Sen. Dukes	Points out the military identity has a photo of the individual.
080	Rep. Mabrey	Points out the need for emergency clause.
085	Chair Brown	Closes the public hearing on HB 3058, and opens a work session on HB 3058.
<u>HB 3058 – WORK SESSION</u>		
090	Rep. Gilman	MOTION: Moves to ADOPT HB 3058-2 amendments dated 05/06/03. VOTE: 7-0

095	Chair Brown Rep. Gilman	Hearing no objection, declares the motion CARRIED . MOTION: Moves HB 3058 to the floor with a DO PASS AS AMENDED recommendation.
100		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
105	Chair Brown Rep. Zauner	MOTION: Moves HB 3058 be placed on the CONSENT CALENDAR.
		VOTE: 7-0
110	Chair Brown Chair Brown	Hearing no objection, declares the motion CARRIED . Closes the public hearing on HB 3058, and opens a work session on SB 471A.
<u>SB 471A – WORK SESSION</u>		
115	Janet Adkins	Committee Administrator. Offers a description of SB 471A.
120	Richard Burke	Libertarian Party of Oregon. Offers testimony regarding SB 471A.
140	Rep. Mabrey	MOTION: Moves SB 471A to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.
145	Adkins	Points out that the committee is adding the referral to Ways and Means.
150		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
155	Chair Brown Chair Brown	Closes the work session on SB 471A, and opens a public hearing on SB 771A.
<u>SB 771A – PUBLIC HEARING</u>		
160	Janet Adkins	Committee Administrator. Offers a description of SB 771A, with reference to the issued fiscal impact statement (EXHIBIT B), and submitted testimony from the Oregon Department of Environmental Quality (EXHIBIT C).
180	John Rosenberger	Oregon Department of Transportation; Highway Division, Executive Director. Offers testimony in support of SB 771A.
200	Rep. Dingfelder	Clarifies the reasoning for creating in statute something these agencies already do.
210	Rosenberger	Discusses the reasoning for creating the regulations in statute.
220	Rep. Dingfelder	Expresses her concerns for the policy which would be created by this bill. Points out that while these agencies budgets are being cut, this bill would require more work.
240	Rosenberger	Discusses the means in which other agencies aid ODOT, in context to the bill.
255	Rep. Dingfelder	Clarifies that the Community Solutions Teams (CST) already works on transportations projects.
265	Rosenberger	Discusses the CST's role.
270	Rep. Greenlick	Refers to the fiscal impact statement and points out the CST are the mechanism used. Asks whether the Co-Chair's budget contained a decrease in funds for the CST.
280	Rosenberger	Indicates that he has not seen the fiscal impact statement and does not know the answer.
285	Rep. Greenlick	Expresses his concerns regarding the funding of the CST's.
290	Rep. Beyer	Comments on a relevant issue in her district and asks Mr. Rosenberg to address that situation.
295	Rosenberger	Comments on the situation in question.

315	Chair Brown	Asks which goal regards the exception.
320	Rosenberger	Answers the goals question.
325	Chair Brown	Closes the public hearing on SB 771A, and opens a public hearing on SB 661A.

SB 661A – PUBLIC HEARING

330	Janet Adkins	Committee Administrator. Offers a description of SB 661A.
365	Ken McDermott	Senator Starr’s Office. Offers written testimony (EXHIBIT D) in support of SB 661A.
385	Rep. Greenlick	Expresses concern for the lack of specificity in the bills language and definitions. Asks about a specific use of the amber lights.
395	McDermott	Discusses the example suggested by Rep. Greenlick.

TAPE 102, A

010	Rep. Greenlick	Clarifies his concerns over the definition of “commercial” or “work site.”
020	Curt Curtis	Oregon State Police. Offers testimony regarding SB 661 A.
035	Rep. Beyer	Comments on a previous bill regarding this issue.
045	McDermott	Indicates that he did not work on the previous bill, but offers his perception of the differences between that bill and SB 661 A.
070	Chair Brown	Clarifies that currently, if a contractor is working for ODOT and is in a work zone, the contractor cannot use amber lights.
075	Troy Costales	Oregon Department of Transportation. Offers written testimony (EXHIBIT E) regarding SB 661 A.
080	Rep. Greenlick	Restates his concerns with the lack of clear wording in the bill.
085	Curtis	Discusses the definition of certain wording in the bill.
110	Costales	Points out that the bill would allow use of the lights, but not mandate the use of the lights.
115	Rep. Greenlick	Asks for a clarification of specific wording in the bill “unusual care.”
120	McDermott	Indicates the intent of the language in question.
130	Rep. Beyer	Discusses the origin of the bill.
145	Rep. Greenlick	Points out the importance of the issue and the possible affect of the policy.
170	McDermott	Addresses Rep. Greenlick’s comments. Discusses personal experience regarding the issue.
190	Rep. Zauner	Points out his personal experience regarding the issue.
200	Chair Brown	Clarifies that the lights would not be mandatory. Closes The public hearing on SB 661A, and opens a work session on SB 661A.

SB 661A – WORK SESSION

205	Rep. Mabrey	MOTION: Moves SB 661A to the floor with a DO PASS recommendation.
210		VOTE: 7-0
	Chair Brown	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
215	Rep. Greenlick	Asks who in Legislative Counsel drafted the bill.
220	Adkins	Indicates that she will find out.
225	Rep. Dingfelder	MOTION: Moves SB 661A be placed on the CONSENT CALENDAR.
		VOTE: 7-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
230	Chair Brown	Closes the work session on SB 661A, and opens a work session on SB 663A.

SB 663A – PUBLIC HEARING

235	Janet Adkins	Committee Administrator. Offers a description of SB 663A.
250	John McDermott	Senator Starr's Office. Offers testimony in support of SB 663A.
275	Rep. Greenlick	Discusses his personal experience with traffic enforcement regarding U-turn.
295	Doug Tindall	Oregon Department of Transportation. Offers written testimony (EXHIBIT F) regarding SB 663A. Addresses Rep. Greenlick's concerns regarding the confusion of signage.
310	Rep. Beyer	Asks whether there is any record as to how many people are cited for making illegal U-turns.
315	Tindall	Explains that there is no central database for this information.
330	Chair Brown	Closes the public hearing on SB 663A, and opens a work session on SB 663A.

SB 663A – WORK SESSION

335	Rep. Greenlick	MOTION: Moves SB 663A to the floor with a DO PASS recommendation.
340	Rep. Zauner	Points out the consistency which the bill provides, indicating his support for the bill.
345		VOTE: 7-0
	Chair Brown	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
350	Rep. Dingfelder	MOTION: Moves SB 663A be placed on the CONSENT CALENDAR.
	Chair Brown	VOTE: 7-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
355	Chair Brown	Closes the work session on SB 663A, and opens a work session on SB 183.

SB 183 – WORK SESSION

370	Janet Adkins	Committee Administrator. Offers a description of SB 183, and the proposed -4 amendments (EXHIBIT G), with reference to the submitted fiscal impact statement (EXHIBIT H).
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TAPE 101, B

010	Rep. Greenlick	Clarifies the effect of the bill and the proposed amendments.
020	Adkins	Acknowledges the clarification.
025	Dawn Philips	Rep. Miller's Office. Offers testimony in support of the proposed -3 amendments.
030	Rep. Dingfelder	Questions the need for the -3 amendments to SB 183.
040	Phillips	Comments on the need for uniformity in application of the "Basic Rule."
055	Rep. Zauner	Asks whether this would allow the Oregon Department of Transportation to change the speed on interstates within city limits.
060	Phillips	Indicates that ODOT would be allowed to change those speed limits.
065	Rep. Beyer	Indicates that she would like to hear from ODOT regarding the issue.
075	Troy Costales	Oregon Department of Transportation. Offers testimony regarding SB 183 with reference to submitted map (EXHIBIT I) and public opinion poll (EXHIBIT J).
100	Rep. Greenlick	Clarifies whether the confusion currently in statute would still be better organized by SB 183 with the -4 amendments.
105	Costales	Acknowledges, and continues with testimony. Indicates his support for the -2 amendments (EXHIBIT K).
145	Rep. Beyer	MOTION: Moves to ADOPT SB 183-2 amendments dated

05/05/03.

150 Zauner Clarifies wording in Mr. Costales' written testimony.
155 Chair Brown Asks if Rep. Beyer would withdraw her motion so the committee could hear more testimony.

156 Rep. Beyer **Withdraws motion to adopt the -2 amendments to SB 183.**
160 Lisa Millet Department of Human Services. Offers testimony in opposition to SB 183, with reference to submitted fact sheet (**EXHIBIT L**).

185 Gary Miller Oregon Department of State Police. Offers written testimony (**EXHIBIT M**) regarding SB 183 and the proposed -3 amendments.

205 Chair Brown Stands meeting at ease.

RECESS

210 Chair Brown Calls meeting back to order.

215 Rep. Beyer **MOTION: Moves to ADOPT SB 183-2 amendments dated 05/05/03.**

220 Janet Adkins Clarifies what the -2 amendments do.
225 **VOTE: 2-4**
AYE: 2 - Beyer, Dingfelder
NAY: 4 - Gilman, Mabrey, Zauner, Brown
EXCUSED: 1 - Greenlick
The motion FAILS.

230 Chair Brown **MOTION: Moves to ADOPT SB 183-4 amendments dated 05/06/03.**
Rep. Mabrey

235 Rep. Dingfelder Indicates her support for the original intent of the bill, but expresses her dislike for the -4 amendments which will cause her to vote No on the motion.

240 **VOTE: 4-2**
AYE: 4 - Gilman, Mabrey, Zauner, Brown
NAY: 2 - Beyer, Dingfelder
EXCUSED: 1 - Greenlick
The motion CARRIES.

245 Chair Brown **MOTION: Moves SB 183 As Amended WITHOUT RECOMMENDATION as to passage BE REFERRED to the committee on Ways and Means by prior reference.**
Rep. Mabrey

250 Rep. Beyer Expresses her concerns with the bill, and indicates her intent to vote No on the motion.

251 Rep. Dingfelder Concurs with Rep. Beyer's intent.
255 Chair Brown Indicates his intent to vote Aye on the motion.
260 **VOTE: 4-2**
AYE: 4 - Gilman, Mabrey, Zauner, Brown
NAY: 2 - Beyer, Dingfelder
EXCUSED: 1 - Greenlick
The motion CARRIES.

270 Chair Brown Closes the work session on SB 183, and adjourns the meeting at 9:53 a.m.

EXHIBIT SUMMARY

A – HB 3058, -2 amendments, Staff, 2 pp.

B – SB 771A, fiscal impact statement, Staff, 1 p.

C – SB 771A, written testimony, Staff, 2 pp.

- D – SB 661A, written testimony, Ken McDermott, 1 p.**
- E – SB 661A, written testimony, Troy Costales, 1 p.**
- F – SB 663A, written testimony, Doug Tindall, 1 p.**
- G – SB 183, -4 amendments, Staff, 30 pp.**
- H – SB 183, fiscal impact statement (-3 amendments), Staff, 2 pp.**
- I – SB 183, submitted map, Troy Costales, 1 p.**
- J – SB 183, submitted chart, Troy Costales, 1 p.**
- K – SB 183, -2 amendments, Staff, 4 pp.**
- L – SB 183, submitted fact sheet, Lisa Millet, 1 p.**
- M – SB 183, written testimony, Gary Miller, 1 p.**