

# HOUSE COMMITTEE ON GOVERNMENT EFFICIENCY

April 5, 2001  
8:30 AM

Hearing Room D  
Tapes 47 - 49

**MEMBERS PRESENT:**     **Rep. Jerry Krummel, Chair**  
                              **Rep. Chris Beck, Vice-Chair**  
                              **Rep. Patti Smith, Vice-Chair**  
                              **Rep. Alan Brown**  
                              **Rep. Bill Garrard**  
                              **Rep. Jim Hill**  
                              **Rep. Deborah Kafoury**  
                              **Rep. Jeff Kruse**  
                              **Rep. Steve March**

**MEMBER EXCUSED:**     **Rep. Carolyn Tomei**  
                              **Rep. Kelley Wirth**

**STAFF PRESENT:**       **Matt Wingard, Committee Administrator**  
                              **Patrick Brennan, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **HB 3554 Public Hearing and Work Session**  
                                      **HB 3556 Public Hearing**  
                                      **HB 3540 Public 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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 47, A</b>		
004	Chair Krummel	Calls the meeting to order at 8:40 a.m. Opens a public hearing on HB 3554.
<b><u>HB 3554 PUBLIC HEARING</u></b>		
022	Matt Wingard	Committee Administrator. Gives a brief description of the bill. States the measure appropriates money from the General Fund to the Oregon Department of Administrative Services (DAS) for construction of the Mid-Columbia Veterans' Memorial Complex in The Dalles.
028	Rep. Smith	Notes that the proposed memorial complex is in her district.
035	Robb Van Cleave	Mayor, The Dalles. Testifies in support of HB 3554 ( <b>EXHIBIT A</b> ). Provides an overview of the project. States that the goal is to create a place of reflection for families of veterans and for all Americans. Describes the first memorial planned for the complex, which honors Loren Kauffman, a posthumous recipient of the Congressional Medal of Honor during the Korean War.
084	Van Cleave	Says the memorial complex will also honor those who served during times of war on the home front, as factory workers and farmers and in other professions. Emphasizes the importance to recognize the contribution these people made as well.
096	Susan Huntington	The Dalles Area Chamber of Commerce. Testifies in support of HB 3554. States that Wasco County has contributed \$3.1 million to build the Oregon Veterans' Home and now requests assistance to fund the memorial complex.
108	Van Cleave	Outlines the fiscal planning for the memorial complex project.

		Mentions that contributions have already been made and that a request has been sent to Congress for an appropriation. Affirms that the community is committed to raising most of the funds for the project.
160	Van Cleave	Lists some of the dignitaries who have signed letters of support for the construction of the memorial complex.
184	Chair Krummel	Requests confirmation that Wasco County had voted to fund the Veterans' Home whether or not the land was donated.
190	Van Cleave	Replies affirmatively. Indicates that the total cost of that project was approximately \$9 million.
210	Lester Cochran	Describes the sources of assistance that contributed to the construction of the Veterans' Home.
223	Chair Krummel	Asks whether The Dalles is an official World War II city.
227	Van Cleave	Answers no, but says that it is an official Korean War city.
235	Chair Krummel	Closes the public hearing and opens a work session on HB 3554.

**HB 3554 WORK SESSION**

<b>238</b>	<b>Rep. Smith</b>	<b>MOTION: Moves HB 3554 to the floor with a DO PASS RECOMMENDATION and BE REFERRED to the Committee on Ways and Means by prior reference.</b>
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243	Rep. March	Recalls a recent trip to the Veterans' Home in The Dalles.
248	Rep. Smith	Applauds the work of the Veterans' Home and its staff.
<b>253</b>		<b>VOTE: 8-0-3</b>

**AYE: In a roll call vote, all members present vote Aye.**  
**EXCUSED: 2 –Kafoury, Tomei, Wirth**  
**The motion CARRIES.**

	<b>Chair Krummel</b>	
262	Chair Krummel	Closes the work session on HB 3554 and opens a public hearing on HB 3556.

**HB 3556 PUBLIC HEARING**

270	Matt Wingard	Committee Administrator. Gives a brief description of the bill.
280	Rep. Smith	States that she brought the bill at the request of Judge John Mabrey.
292	John Mabrey	Wasco County Judge. Testifies in support of HB 3556 <b>(EXHIBIT B)</b> . States that the measure allows counties to dispose of property acquired by methods other than foreclosure. Notes that other taxing bodies are allowed to do so, while counties are currently excluded due primarily out of the concern that they might abuse their authority to foreclose.
360	Mabrey	Mentions that his community is in the process of constructing a new armory and that the land previously purchased for the project has increased dramatically in value since it was purchased. Says the armory parcel could be auctioned off for a significant sum of money. Says that the goal of the bill is to allow counties to be treated the same as other governmental bodies with regard to this particular issue.

**TAPE 48, A**

015	Rep. Garrard	Asks whether the bill is permissive enough to achieve the desired effect.
021	Mabrey	Answers that the county's legal counsel suggested the language and believes it reaches the desired result. Reiterates the desire only to be treated as any other governmental body.
035	Rep. Beck	Asks whether the Association of Oregon Counties (AOC) has seen the bill.

038	Mabrey	Replies affirmatively and says AOC supports the measure, albeit not unanimously.
040	Rep. Smith	Asks whom it was who made the determination that the specific language was appropriate and significant.
043	Mabrey	Replies that the person is legal counsel for the county, adding that he did not speak to the person directly about the matter.
050	Rep. March	Asks Judge Mabrey if he has discussed the bill with Legislative Counsel (LC).
053	Mabrey	Answers no, adding that Smith did have the language drafted by LC.
058	Rep. March	Mentions that Multnomah County does not operate under the same rules that Judge Mabrey indicates apply to Wasco County.
060	Mabrey	Presumes that the difference has something to do with population.
065	Rep. Smith	Asks why this particular portion of statute was deleted.
071	Chair Krummel	Responds that the language was unnecessary. Suggests that Judge Mabrey work with LC to clear up the issue and have amendments drafted if they are necessary. Emphasizes the need to ensure that the measure achieves what it sets out to do.
100	Rep. Kruse	Suggests that the ambiguous language could be clarified if need be when the measure is referred subsequently by the House Committee on School Funding and Tax Fairness/Revenue. Says he believes that the bill's intent is clear and that changes may not be necessary.
114	Rep. Beck	Concurs with Rep. Kruse. Pledges to work with Rep. Smith through his position on the Revenue Committee to expedite the process.
132	Rep. Hill	Submits that the bill should not need to be referred to the Revenue Committee, but instead should be amended by this committee and sent directly to the floor.
142	Rep. Kruse	Reiterates he is uncertain as to whether there is a problem with the bill at all.
150	Chair Krummel	Closes the public hearing on HB 3556 and opens a public hearing on HB 3540.

**HB 3540 PUBLIC HEARING**

170	Rep. Hill	Testifies in support of HB 3540. Describes the situation in the area surrounding the Washington Park Zoo parking lot complex.
200	Stephen McCartney	Multnomah County. Testifies in support of HB 3540 and provides informational materials ( <b>EXHIBIT C</b> ). Comments on the problems related to the use of public transportation opportunities in and around the Washington Park Zoo.
260	McCartney	Explains that the purpose of HB 3540 is to have all parties work together to establish some limited number of park-and-ride spaces in the zoo parking facility. Comments that his wife has been unable to get any information regarding this matter from Tri-Met. Mentions that several people have parked in the zoo facility for Tri-Met access during off-hours when the lot was nearly empty. Requests the opportunity for neighborhood residents to use the lot so that they may have improved access to public transportation.
322	Rep. Beck	Inquires whether the issue was being investigated prior to the recent attacks in the area that have given the problem wider attention.
331	McCartney	Replies that the neighborhood became aware of the issue when

		frequent users of the light rail station received a notice on their windshields ( <b>EXHIBIT D</b> ) that the lot was not to be used as a park-and-ride facility.
356	Rep. Beck	Asks whether the neighborhood took their concerns to the other government bodies that have jurisdiction over the issue.
375	Jeff Boly	Former president of the local neighborhood association. Testifies in support of HB 3540 ( <b>EXHIBIT E</b> ). States that the issue has been on the minds of neighborhood residents for a few years.
<b>TAPE 47, B</b>		
030	Boly	Asserts that there are some that have an unnecessary fear of using the parking lot as a park and ride lot and that the combination of that fear and local control has led to the need for legislation to address this issue. Says there has been no luck finding a workable compromise, as neighbors have no leverage and those in authority have no desire to compromise. Refers to a pilot project that he previously suggested ( <b>EXHIBIT F</b> ). Suggests that the bill could include provisions that allow for the program's nullification in the event that significant problems arise.
080	Boly	Explains that the City of Portland has is concerned that either the existing lease or land use rules may interfere in the project. Submits that it is clear that existing law supports the program.
097	Rep. Hill	Provides photographs of the zoo parking lot ( <b>EXHIBIT G</b> ) and provides background information regarding the issue.
115	Rep. Beck	Inquires how many local residents may be interested in using the lot as a park and ride facility and could be expected to do so should the program commence. Asks if there was any response to his proposal.
130	Boly	Mentions that Commissioner Francesconi has the facility under his jurisdiction. Indicates that he received no written response to his proposal.
138	Preston Wong	Crime Prevention Specialist, City of Portland. Testifies in support of HB 3540. States people are most susceptible to criminal attack when traveling between home and work. Refers to two instances where women were attacked at or near the transit station adjoining the zoo.
187	Rep. Rep. March	Notes that all the proponents have been involved with the neighborhood association. Suggests that perhaps the city council has not had time to review the proposal letter. Concludes that the neighborhood association has brought the matter before the legislature because the local government has not decided in their favor. Inquires whether a mediator has been used.
214	Boly	Replies there was is willingness on the part of the local government to do so.
218	Rep. Hill	Doubts whether Metro be under the authority of the city or subject to any mediation between the city and the neighborhood residents.
224	Boly	Asserts that there is no unified entity with which the proponents can negotiate.
238	Rep. Kafoury	Asks whether Mr. Wong is speaking on behalf of the City of Portland.
241	Wong	Replies negatively, clarifying he is testifying in support of the measure strictly as a concerned citizen.
247	Rep. Beck	Requests clarification where the station and neighborhood are located.

260	Boly	Illustrates the geography of the area with maps. Says most of the neighborhood residents favor using the lot as park and ride.
300	Sally Knudsen	Sylvan Highlands Neighborhood Association. Testifies in support of HB 3540 ( <b>EXHIBIT H</b> ). Describes her personal experience with using the station. States that her organization overwhelmingly supports the use of the lot as a park and ride facility.
352	Knudsen	Mentions that there are some that have concerns about lights in the nearby lot, but says that issue can be addressed by the use of plant buffers. States she has used the facility for park and ride purposes since August 2000 and has yet to see the lot full. Asserts that permits would not pose a problem because if the lot is full those with permits will not be able to park there anyway.
<b>TAPE 48, B</b>		
004	Andrew Wilson	Resident of Wilcox West neighborhood. Testifies in support of HB 3540. Says the only MAX station accessible to him is at the zoo and that there is insufficient parking for that station. Says there is a history of attempting to work through the issue locally but that no one entity seems to be responsible.
030	Dawn Phillips	Legislative Assistant for Rep. Hill. Testifies in support of HB 3540. Reads into the record a letter from Gail Achterman ( <b>EXHIBIT I</b> ).
058	Rep. Beck	Asks Mr. Wilson how far he lives from the station. Wonders whether people from neighborhoods closer to the station should also be allowed to drive and park at the zoo.
065	Wilson	Clarifies that other neighborhoods have close access to different public transit stations, whereas his does not.
072	Rep. Beck	Wonders where to draw the line for determining who should and should not get to use the lot as a park and ride.
080	Knudsen	Says the goal is not to create a situation where only those in the neighborhoods can use the lot as a park-and-ride lot.
099	Mark Reed	World Forestry Center. Testifies in opposition to HB 3540 ( <b>EXHIBIT J</b> ). Discusses why use of the lot as a park and ride would be problematic. Says there are peak parking hours on almost every day during the summer months. Mentions that the lot's usage will be higher when the Children's Museum opens later this year. Says the lot has exceeded 90 percent occupancy on many days.
160	Reed	States that if park-and-ride users displace park visitors then users of the facilities for which the parking lot is designed will be inconvenienced. Says it would be difficult to predict how many permits to offer and to whom. Concedes that local taxpayers should have some right to the lot, but says there should be recognition that public investment also went into the facilities the lot is designed to serve. Remarks that light rail is used only by a small percentage of the local population.
215	Reed	Reiterates that educational facilities should not be responsible for policing the lot's park and ride users. Offers alternative solutions to the problem: <ul style="list-style-type: none"> <li>• Using the Vietnam Veterans' lot for station access</li> <li>• Funding a new parking structure at the location</li> <li>• Arranging transit through neighborhoods to the station</li> </ul>

260	Mike Burton	Metro. Testifies in opposition to HB 3540. Provides informational materials ( <b>EXHIBIT K</b> ). Describes the history of the area and its MAX line and station. Says a majority of zoo visitors use cars to travel to the zoo. Notes that the zoo's share for the cost of the station is \$5M.
315	Burton	Says the bill raises questions about the larger issue of park and ride facilities in general. Stresses the need to ensure that the lot is available to all patrons who wish to visit the facilities served by the parking lot.
365	Tony Vecchio	Oregon Zoo. Testifies in opposition to HB 3540. Discusses zoo attendance rates ( <b>EXHIBIT L</b> ). Notes that the zoo experienced record attendance in 2000, adding that the same will likely be the case for 2001. Says the increased usage of the zoo and other facilities will doubtless create a greater strain on the parking capacity.
<b>TAPE 49, A</b>		
017	Rep. Hill	Asks whether there is any room for negotiation on the issue. Asserts that there must be at least some spaces that could be offered as park and ride opportunities.
026	Reed	Replies that the facilities have dealt with the issue for years. Emphasizes the difficulty in creating a system by which park and ride spaces are offered without impacting the facilities for which the spaces were created. Reiterates it is unreasonable to expect educational institutions to take on the responsibility of supervising park and ride use. Asserts that the zoo transit center was not designed for neighborhood commuters.
037	Rep. Hill	Disagrees with Mr. Reed's assertion regarding the purpose of the transit center. Acknowledges that the law cannot abrogate an existing contract. Says reasonable people should be able to find a way to accommodate what is a real concern for zoo neighbors. Concedes that the answer may be a Tri-Met shuttle from neighborhood to transit center. Asks again whether there is willingness to negotiate a solution.
065	Burton	Acknowledges the frustration among neighborhood residents. Opines that the park and ride lots are inadequate throughout the entire transit system. Reiterates that the facilities on site need the spaces. Comments that most commuters would be using a space for an entire day.
097	Rep. Hill	Says that choices are made all the time to keep things small and regional and that it can be done in this case as well. Asks how the situation might be worked out so that both parties get some of what they want.
118	Vecchio	Responds that they have worked on compromise solutions for the issue and demonstrated willingness to discuss the matter, but says the permit plan is out of the question.
131	Reed	States that the cost associated with park and ride spaces are too high and do not have anything to do with the mission of the facilities.
185	Bernie Bottomly	Tri-Met. Testifies in opposition to HB 3540 ( <b>EXHIBIT M</b> ). Describes some problems associated with using the lot as a park and ride facility. Agrees that such use places some entity in the undesirable position of policing the lot for non-patrons.
		Additional testimony was submitted for the committee's consideration ( <b>EXHIBIT N</b> ).

Submitted By,

Reviewed By,

Patrick Brennan,  
Committee AssistantMatt Wingard,  
Committee Administrator**EXHIBIT SUMMARY**

- A – HB 3554, informational materials, Robb Van Cleave, 14 pp.**
- B – HB 3556, testimony, John Mabrey, 1 p.**
- C – HB 3540, informational materials, Stephen McCartney, 2 pp.**
- D – HB 3540, informational materials, Stephen McCartney, 1 p.**
- E – HB 3540, testimony, Jeff Boly, 7 pp.**
- F – HB 3540, informational materials, Jeff Boly, 1 p.**
- G – HB 3540, photographs, Rep. Jim Hill, 1 p.**
- H – HB 3540, testimony, Sally Knudsen, 1 p.**
- I – HB 3540, testimony for Gail Achterman, Dawn Phillips, 2 pp.**
- J – HB 3540, testimony, Mark Reed, 3 pp.**
- K – HB 3540, informational materials, Mike Burton, 1 p.**
- L – HB 3540, testimony, Tony Vecchio, 2 pp.**
- M – HB 3540, testimony, Bernie Bottomly, 2 pp.**
- N – HB 3540, testimony, Susan Schneider, 2 pp.**