

HOUSE COMMITTEE ON TRANSPORTATION

March 30, 2001
8:30 A.M.

Hearing Room D
Tapes 77-79

MEMBERS PRESENT: Rep. Bruce Starr, Chair
Rep. Alan Brown, Vice-Chair
Rep. Jeff Merkley, Vice-Chair
Rep. Jeff Kropf
Rep. Donna Nelson
Rep. Diane Rosenbaum
Rep. Cliff Zauner

MEMBER EXCUSED: Rep. Richard Devlin
Rep. Joanne Verger

STAFF PRESENT: John Leon, Committee Administrator
Kate Campeau, Committee Assistant

MEASURE/ISSUES HEARD: HB 2380 – Work Session
HB 2585 – Public Hearing
HB 2740 – Public Hearing
HB 2741 – Public Hearing
HB 2742 – 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.

Tape #	Speaker	Comments
TAPE 77,A		
003	Chair Starr	Calls meeting to order at 8:30 a.m.
<u>HB 2380 – WORK SESSION</u>		
005	John Leon	Committee Administrator. Reads brief synopsis of the bill and the -6 amendment (EXHIBIT A). States that the -6 amendment is a refinement including stipulation that the Oregon Department of Transportation (ODOT) would report to the Legislature on March 1 st of each biennium.
010	Rep. Merkley	MOTION: Moves -6 Amendment to HB 2380 A.
020	Rep. Nelson	States acceptance of the -6 amendment.
022	Chair Starr	Hearing no objection declares the motion CARRIED. VOTE: 6-0-3 ABSENT: 1 - Rosenbaum EXCUSED: 2 - Devlin, Verger
026	Rep. Merkley	MOTION: Moves HB 2380 as amended to the floor with a DO PASS recommendation.
030		VOTE: 6-0 ABSENT: 2 – Kropf, Rosenbaum EXCUSED: 2 – Devlin, Verger
035	Chair Starr	Hearing no objection declares the motion CARRIED. Invites Robin Dunlop to testify on transportation issues in New Zealand.
<u>INFORMATIONAL TESTIMONY</u>		
040	Robin Dunlop	Director of Change, New Zealand. Testifies on transportation issues

		in New Zealand. Discusses ways of delivering a road that is safe, etc. Submits written material (EXHIBIT B) .
050	Rep. Brown	Asks how New Zealand transportation system is financed.
060	Dunlop	Answers that money comes from a government established dedicated fund.
070	Rep. Zauner	Asks if New Zealand uses steel studs.
080	Dunlop	Answers that they do not and that salt is not allowed on the highways.
100	Rep. Merkley	Asks if initiatives to change road financing come as a result of change of the national government.
110	Dunlop	Answers that in 1984 the government was in a decline, and a process of change began at that time.
120	Rep. Rosenbaum	Asks about mass transit in New Zealand.
130	Dunlop	Answers that mass transit is used to some extent – primarily bus service and rail service.
150	Rep. Nelson	Asks if efficiency of four companies has improved since privatization.
155	Dunlop	Answers that there is one company and it is government owned and a six-member board administers it. States that changes are made for logical rather than ideological reasons.
157	Chair Starr	Thanks Mr. Dunlop for his testimony. Opens public hearing on HB 2585.

HB 2585 - PUBLIC HEARING

160	Leon	Reads brief synopsis of HB 2585. Which requires ODOT to construct acceleration lanes on specified highway. States that fiscal statement has been issued and that there is a potential revenue impact.
170	Andrea Fogue	League of Oregon Cities. States concern that projects would be taken off of the Statewide Improvement Process (STIP).
180	John Oshel	Association of Oregon Cities. Comments on HB 2585. States no opposition to slated projects. States that projects in the STIP would be the preferred method for choosing projects.
190	Bruce Warner	Director, Department of Transportation. Testifies on HB 2585 and submits written testimony (EXHIBIT C) . States that ODOT recognizes the congestion and safety concerns at Jackson School Road and US 26. Summarizes that ODOT supports safety plans and that modernization plans are addressing highest priority areas around Oregon. Adds that HB 2585 appears to be in conflict with current statute (ORS 184.660(2) which prohibits the Legislative Assembly from committing money to projects not in the Highway Construction Plan or adjusting individual project funds or priorities.

TAPE 78, A

007	Rep. Zauner	Asks about Jackson School Road project and when this project is going to be completed.
020	Warner	Answers that plans are being worked on to implement safety projects.
040	Rep. Zauner	Asks when this will take place.
048	Bill Ciz	Traffic Operations Manager, Region 1. Answers March of 2002 and that this includes safety project that will eliminate some of the lower volume movement in that intersection. States that intersection will be much safer, detailing options in design of intersection.
060	Rep. Zauner	Asks if federal funds are being used.
070	Ciz	States that project will be funded 90 percent with federal funding.
080	Rep. Nelson	Asks the cost of this program.

085	Ciz	Answers approximately \$1.1 million dollars.
090	Rep. Nelson	Asks how federal funding is to be procured.
100	Ciz	Answers that in 1999 this project was added to the safety program.
130	Rep. Nelson	Asks if there were a number of fatalities at this intersection and asks how funds are acquired from federal government so rapidly.
140	Ciz	States that there were approximately 40 accidents at that intersection from 1995 through 1999.
155	Warner	Answering the other part of Rep. Nelson's question, states that funds are received from federal government on an annual basis. Explains that money is designated throughout the state for various safety projects.
160	Rep. Nelson	Asks what this fund is called.
167	Ciz	Answers that it is basically the federal allocation to the State of Oregon and then is further divided into categories.
170	<u>Warner</u>	Suggests that a listing of funds and allocations of those funds throughout the state be provided to the committee.
180	Rep. Nelson	States extreme need of her county and expresses frustration at waiting for funds.
199	Warner	States willingness to go over funding for Oregon and the limited amount of money available.
210	Rep. Nelson	Asks if this requires a matching fund.
220	Warner	Answers that there is usually a matching requirement – a combination of state funds and federal funds.
230	Rep. Hill	State Representative, House Dist. 5. Testifies in favor of this bill and provides written testimony (EXHIBIT D).
240	Chair Starr	States that this intersection is indeed very dangerous.
250	Rep. Merkley	Asks if this is becoming “a-free-for-all” for funding transportation improvements and abandoning the legislative process.
260	Rep. Hill	Answers that the Legislature is the best place to go for this process where issues are raised and debated. Talks about educating the public and addressing these urgent transportation needs. Encourages members to write the federal delegation.
270	Rep. Nelson	Comments on Rep. Hill campaigning for the cause of saving lives.
272	Rep Kropf	Asks if Rep. Hill would be looking for some co-participation.
280	Rep. Hill	Answers that the City of Hillsboro has approached ODOT but was turned down because of technical problems.
290	Chair Starr	Clarifies this situation for the committee: States that North Plains is a willing partner and that there will be private money available for an overpass project.
310	Rep. Zauner	Asks if there is an action committee on transportation that serves Washington County.
330	Rep. Hill	Answers that in Metro area there is JPACT which will want to make the decision of where the dollars will be spent.
350	Rep. Starr	States Metro area has representatives from three counties.
355	Rep. Rosenbaum	Asks about process of bypassing the current process.
359	Rep. Hill	Answers that the process would be to go through the committee process and the committee would come up with the recommended list and then vote on those recommendations.
366	Rep. Starr	Comments that this bill does go outside of the traditional STIP process.
369	Chair Starr	Closes public hearing on HB 2585. Opens concurrent hearings on HB 2740, HB 2741, and HB 2742.

HB 2740, 2741 AND 2742 PUBLIC HEARING

370	Leon	Reads synopses of these bills: HB 2740 requires ODOT to install
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metered ramps at specified interchanges on Interstate 205; HB 2740 requires ODOT to add one lane in each direction on specified portion of Interstate 205; and, HB 2742 requires ODOT to do study of feasibility of constructing interchange on Boechman Road on Interstate -5.

400 Warner Testifies on HB 2740 and submits written testimony (**EXHIBIT E**) States that ODOT does support the ramp metering.

TAPE 77, B

030 Warner Continues with testimony on HB 2741 and submits written testimony (**EXHIBIT F**). States that ODOT recognizes the congestion on I-205 and is making operational improvements such as ramp metering to mitigate it. States that modernization projects are already planned and approved utilizing the public process as part of the STIP.

050 Warner Continues with testimony on HB 2742 and submits written testimony (**EXHIBIT G**). States that ODOT recognizes the local interest in the Boechman Road Interchange with I-5 and will be working with the City of Wilsonville and the private sector stakeholders to explore the feasibility of this project.

060 Chair Starr Submits amendments to 2740 and 2741 (**EXHIBIT H**) and (**EXHIBIT I**) that includes the “notwithstanding” language so that a law can be bypassed that was passed last session.

070 Rep. Zauner Asks about the Sunnyside Road project.

072 Bruce Warner Clarifies that the project is *Sunnybrook*. States that the project was halted because of stream crossing and ODOT is working very closely with the National Marine Fisheries.

080 Rep. Zauner Asks cost of this delay.

084 Warner Answers that this figure is not known.

086 Rep. Brown Asks about the \$196 million figure for modernization budget over the biennium.

089 Bruce Tindall Maintenance Engineer, ODOT. Answers that this figure is either the total modernization amount in STIP but most likely it is expenditures of projects for modernization category for the remainder of the biennium.

095 Rep. Brown Asks if the \$145 million figure is also for modernization.

096 Warner States that is correct.

098 Rep. Brown Asks if there would be anything left in the budget for the rest of the state.

100 Warner States that if project were to be done in this existing biennium then other projects would have to be eliminated.

105 Chair Starr Asks how dollars are allocated to each region.

109 Warner Answers with description of population, vehicle registration and growth data being looked at in determining the distribution of funds and that this method is acceptable and equitable to most people.

120 Rep. Rosenbaum States that a great deal of thought and agony is put into this process. Asks for clarification of process - when a project is not on the STIP but is moved into the queue for construction.

127 Warner States that first the particular region impacted would be looked at and then other regions would be looked at - which would be highly unpopular.

133 Rep. Rosenbaum Asks if under the current process, the priority list can change, for instance, if there is a crisis of some sort.

137 Warner Answers that projects are flexible because of variables.

144 Rod Monroe Chair, Joint Policy Advisory Committee on Transportation

		(JPACT). States that JPACT and Metro are designated the metropolitan planning organization under federal transportation legislation. States that JPACT is made up of elected officials from 24 cities and 3 counties plus Tri-Met, Port of Portland, ODOT, etc. Also, Clark county, Washington has a one-vote representation. States that JPACT is a policy making body, making policy on transportation issues. States that elected Metro Council and JPACT must concur.is unique in the nation. Testifies in opposition of HB 2740, 2741, and 2742 and submits written testimony (EXHIBIT J).
177	Andrew Cotugno	Metro Planning Director. Testifies in opposition to these bills and submits written testimony (EXHIBIT K). Testifies that if a locally or state funded transportation project were to cause the region to violate air quality standards, penalties could result involving withholding federal funds until air quality attainment could be demonstrated.
205	Chair Starr	Comments about the polluting ability of cars stuck in traffic would be greater than creating a road able to handle traffic at preferred rate of speed.
218	Cotugno	Details the profile of auto admissions: Stop and go movement creates the dirtiest emission, about 35 miles an hour is cleanest emission and then 50 miles per hour is once again a very dirty emission. Discusses 20-year forecast of cars polluting capacity.
230	Chair Starr	Suggests that a commuter rail project would be helpful/useful.
233	Cotugno	Concurs with Chair Starr.
240	Chair Starr	States that this is another reason to support commuter rail.
242	Rep. Merkley	Asks if the projects outside of the STIP are motivated by safety and congestion concerns - asks if a ranking using different indicators to determine priorities and, if so, are those statistics available to the committee.
248	Cotugno	Answers that the portion of the STIP that involves modernization includes congestion and safety issues and environmental issues. States that these criteria can be shared with the committee.
260	Rep. Jerry Krummel	House Representative, House District 27. Speaks on these bills, which he introduced. States that no action was being taken on I-205. Talks about City of Wilsonville's history of working with ODOT. Talks about statistics of vehicle use on I-205. States that Metro has been responsive in a number of ways to the City of Wilsonville.
<u>TAPE 78, B</u>		
060	Chair Starr	Asks about membership of JPACT.
068	Rep. Krummel	Answers with listing of Portland and Multnomah county, Washington county, Clackamas county, cities of Multnomah county, cities of Washington county and cities of Clackamas county, Tri-Met, and Department of Environmental Quality (DEQ) – all being represented on JPACT.
100	Chair Starr	States that JPACT represents a diverse group of people and many people making decisions for Metro area. Concerns of small cities were perhaps not listened to as extensively as larger cities.
120	Rep. Krummel	Agrees with Chair Starr's assessment.
130	Chair Starr	Talks about impossible task of JPACT deciding where limited resources are spent
133	Rep. Merkley	Asks if we engage in this type of extra curricular decision making, is this not the surest way to undermine public support of transportation funding.

138	Rep. Krummel	Answers yes, probably. States that it is the legislator's responsibility to educate the public.
150	Jacob Brostoff	Transportation Advocate, 1000 Friends of Oregon. Testifies on HB 2740 and provides written testimony (EXHIBIT L). States that 1000 Friends of Oregon strongly encourages the Legislature to support efforts to develop a set of criteria to select projects for the STIP. States support for projects being selected based on a broad range of criteria that reflects the full spectrum of public values important to Oregonians, such as advancing local land use goals, reinforcing community values, improving environmental quality and solving identified transportation problems. States that new capacity will lead to decreased air quality. Urges using what exists in terms of existing roads more efficiently rather than building more – suggesting that there will always be traffic problems.
200	Rep Kropf	Asks if opposed to adding additional lanes to I-205.
202	Brostoff	Suggests that re-striping some of the lanes that are there already for car-pooling lane rather than building more.
<u>TAPE 79, A</u>		
040	Chair Starr	Closes pubic hearing on HB 2740, HB 2741, HB 2742. Reopens work session on HB 2380 in order to allow Rep. Rosenbaum and Rep. Kropf to vote on motion to move -6 amendments to the floor with a DO PASS recommendation. VOTE: Rep. Rosenbaum – AYE Rep. Kropf – AYE
044		
049	Chair Starr	Adjourns meeting at 10:43 a.m.

Submitted By,

Reviewed By,

Kate Campeau,
Committee Assistant

John Leon,
Committee Administrator

EXHIBIT SUMMARY

- A – HB 2380 -6 amendments, submitted by staff, 1 p.**
- B – Informational Testimony, Robin Dunlop, written material, 7 pp.**
- C – Oregon Department of Transportation, (ODOT), Bruce Warner, written testimony, 2 pp.**
- D – HB 2585, Rep. Jim Hill, written testimony, 2 pp.**
- E – HB 2740, Bruce Warner, Director, ODOT, written testimony, 1 p.**
- F – HB 2741, Bruce Warner, Director, ODOT, written testimony, 1 p.**
- G – HB 2742, Bruce Warner, Director, ODOT, written testimony, 1 p.**
- H – HB 2740, -1 amendment, submitted by Chair Starr, 1 p.**
- H – HB 2740, -1 amendment, submitted by Chair Starr, 1 p.**
- I – HB 2741, -1 amendment, submitted by Chair Starr, 1 p.**
- J – HB 2740, 2741, 2742, JPACT, written testimony, Rod Monroe, 5 pp.**
- K – HB 2740, 2741, 2742, Metro, written testimony, Andrew Cotugno, 1 p.**
- L – HB 2740, 1000 Friends of Oregon, written testimony, 1 p.**

