

HOUSE COMMITTEE ON TRANSPORTATION

May 2, 2001
8:00 A.M.

Hearing Room D
Tapes 107 - 108

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. Joanne Verger
Rep. Cliff Zauner

MEMBER EXCUSED: Rep. Richard Devlin

STAFF PRESENT: John Leon, Committee Administrator
Kevin Wells, Committee Assistant

MEASURE/ISSUES HEARD: HB 3946 Work Session
HB 3069 Work Session
HB 3071 Work Session
HB 3593 Work Session
HB 3195 Public Hearing
HB 3106 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 107, A		
002	Chair Starr	Calls the meeting to order at 8:10 a.m. Opens a work session on HB 3946.
<u>HB 3946 WORK SESSION</u>		
017	John Leon	Committee Administrator. Reviews HB 3946 and the -1 and -3 amendments (EXHIBIT A).
040	Rep. Brown	Asks if the -3 amendments incorporate the -1 and -2 amendments.
042	Chair Starr	Discusses further amendments to HB 3946. Closes the work session on HB 3946. Opens a work session on HB 3069.
<u>HB 3069 WORK SESSION</u>		
058	Leon	Explains the -2 amendments to HB 3069 (EXHIBIT B).
073	Scott West	Oregon Lodging Association. States that the -2 amendments do what was agreed to in negotiations. Supports HB 3069 as amended.
079	Doug Tindall	Maintenance Engineer, Oregon Department of Transportation (ODOT). Concurs with Mr. West. Notes there will be no fiscal impact as ODOT will absorb the cost in its budget.
089	Rep. Brown	MOTION: Moves to ADOPT HB 3069-2 amendments dated 04/18/01. VOTE: 6-0 EXCUSED: 3 - Devlin, Kropf, Rosenbaum

	Chair Starr	Hearing no objection, declares the motion CARRIED.
096	Rep. Brown	MOTION: Moves HB 3069 to the floor with a DO PASS AS AMENDED recommendation.
098		VOTE: 8-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Starr	EXCUSED: 1 - Devlin
		The motion CARRIES.
		REP. ZAUNER will lead discussion on the floor.
		(A motion is made later for Rep. Kropf and Rep. Rosenbaum to record "Aye" votes.)
107	Chair Starr	Closes the work session on HB 3069. Opens a work session on HB 3071.
<u>HB 3071 WORK SESSION</u>		
110	Leon	Reviews HB 3071 and the -2 amendments (EXHIBIT C).
143	Kelly Taylor	ODOT. Explains that the fiscal impact of HB 3071, as a concept, is anticipated in the Governor's budget.
157	Chair Starr	Asks if the Governor has already budgeted for HB 3071.
158	Taylor	Clarifies that the concept is anticipated in the budget.
166	Rep. Merkley	Asks if the concerns he expressed previously are addressed in the new amendments.
172	Taylor	Reviews the provisions in the -2 amendments, which were crafted to address committee members' concerns.
193	Rep. Merkley	Asks Ms. Hobson to testify.
197	Irene Hobson	AARP. Explains that re-examination, appeal, and reinstatement of a driver's license is addressed in statute. Supports HB 3071.
214	Rep. Merkley	Asks Ms. Taylor how broad "health care provider" is.
219	Taylor	Explains the measure will be applied to licensed health care providers.
225	Rep. Brown	MOTION: Moves to ADOPT HB 3071-2 amendments dated 05/01/01.
229	Rep. Merkley	Explains why he will oppose the measure.
250	Rep. Nelson	Suggests that the elderly do not need to be monitored so closely. Indicates that she trusts AARP's position and will support the motion.
266	Rep. Merkley	Asks Ms. Taylor if the option for a driver's re-examination be made available in writing has been addressed in the amendments.
279	Taylor	Replies that the amendments do not address that as it is handled elsewhere by ODOT and the Department of Motor Vehicles (DMV).
299		VOTE: 6-1
		AYE: 6 - Brown, Kropf, Nelson, Verger, Zauner, Starr
		NAY: 1 - Merkley
		EXCUSED: 2 - Devlin, Rosenbaum
	Chair Starr	The motion CARRIES.
309	Rep. Brown	MOTION: Moves HB 3071 to the floor with a DO PASS AS AMENDED recommendation.
311		VOTE: 7-1
		AYE: 7 - Brown, Kropf, Nelson, Rosenbaum, Verger, Zauner, Starr
		NAY: 1 - Merkley
		EXCUSED: 1 - Devlin
	Chair Starr	The motion CARRIES.

REP. KROPF will lead discussion on the floor.

(Later a motion is made to allow Rep. Rosenbaum record an "Aye" vote.)

325 Chair Starr

Closes the work session on HB 3071. Re-opens the work session on HB 3069.

HB 3069 WORK SESSION

326 Rep. Starr

MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. KROPF to BE RECORDED as voting AYE on the "(MOTION: Moves HB 3069 to the floor with a DO PASS AS AMENDED recommendation."

VOTE: 7-0

EXCUSED: 2 - Devlin, Rosenbaum

Hearing no objection, declares the motion CARRIED.

331 Chair Starr
Chair Starr

Closes the work session on HB 3069. Opens a work session on HB 3593.

HB 3593 WORK SESSION

335 Leon

Explains the -5 amendments to HB 3593 **(EXHIBIT D)**. Discusses the fiscal impact of the measure.

379 Chair Starr

Notes Rep. Verger's concern with the lack of local control in HB 3593.

393 Rep. Verger
400 Rep. Kropf

Adds that ODOT would benefit from local involvement. Asks if crossing blockage penalty amounts have been deleted.

TAPE 108, A

005 Leon

Explains how that has been handled in the amendments.

009 Rep. Kropf

Asks if the maximum fine is \$5,000.

010 Leon

Replies that is correct.

011 Rep. Kropf

MOTION: Moves to ADOPT HB 3593-5 amendments dated 04/30/01.

VOTE: 8-0

EXCUSED: 1 - Devlin

Hearing no objection, declares the motion CARRIED.

014 Chair Starr
Rep. Kropf

MOTION: Moves HB 3593 to the floor with a DO PASS AS AMENDED recommendation.

018 Rep. Merkley

Notes that the ability of an individual to harass railroads through legal hearings has been removed in the -5 amendments.

024 Rep. Kropf

Concurs with Rep. Merkley.

031 Rep. Nelson

Asks if railroads have agreed to the amendments.

033 Chair Starr

Requests representatives of the railroads to testify.

044 Carolyn Larson

Attorney, Union Pacific Railroad. Comments on the -5 amendments.

049 Chair Starr

Asks if there are issues related to interstate commerce.

051 Larson

Expresses broad concerns with the issue.

055

VOTE: 8-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Devlin

The motion CARRIES.

REP. STARR will lead discussion on the floor.

065 Chair Starr
Chair Starr

Closes the work session on HB 3593. Re-opens a work session on HB 3069.

HB 3069 WORK SESSION

066 Rep. Starr

MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. ROSENBAUM to

BE RECORDED as voting AYE on the “MOTION: Moves HB 3069 to the floor with a DO PASS AS AMENDED recommendation.”

VOTE: 8-0

EXCUSED: 1 - Devlin

Hearing no objection, declares the motion CARRIED.

069 Chair Starr
Chair Starr

Closes the work session on HB 3069. Re-opens a work session on HB 3071.

HB 3071 WORK SESSION

070 Rep. Starr

MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. ROSENBAUM to BE RECORDED as voting AYE on the “MOTION: Moves HB 3071 to the floor with a DO PASS AS AMENDED recommendation.”

VOTE: 8-0

EXCUSED: 1 - Devlin

Hearing no objection, declares the motion CARRIED.

080 Chair Starr
Chair Starr

Closes the work session on HB 3071. Opens a public hearing on HB 3195.

HB 3195 PUBLIC HEARING

083 Leon

Explains that HB 3195 requires ODOT to build additional lanes on Interstate 5 (I-5). Notes there will be a fiscal impact.

088 Rep. Jeff Kropf

House District 37. Supports HB 3195. Explains the need for increasing the capacity of I-5 between Salem and Eugene.

135 Rep. Kropf

Outlines why a study of this proposal is needed. Explains that lanes constructed as part of a federal project on this section of I-5 will be removed unless Oregon convinces the federal government otherwise.

175 Rep. Kropf

Reviews alternative funding options. Details a pavement-leasing option where a private partner constructs and operates the lanes.

224 Rep. Nelson

Asks if HB 3195 requires ODOT to construct new lanes or commissions a cost analysis of the project.

229 Rep. Kropf

Acknowledges that a requirement to construct additional capacity may not be practical. Adds that the study is a good first step.

238 Rep. Nelson

Asks if this project could be part of the Road User Task Force.

Rep. Kropf

Replies that this would be a perfect project for that task force.

243 Rep. Nelson

Asks if other states are using pavement-leasing programs.

246 Rep. Kropf

Responds that other states are using pavement-leasing successfully. Discusses the option and how it would work in Oregon.

284 Rep. Brown

Asks if pavement-leasing is allowed on the Interstate freeway system.

297 Rep. Kropf

Stresses that Oregon has to try to work with the federal government to achieve the state’s transportation development goals.

316 Rep. Verger

Asks if legislation should be put in place prior to the task force’s study.

337 Rep. Kropf

Replies that this message needs to be sent through legislation now.

381 Rep. Verger

Asks if the cost analysis would complement the task force’s findings.

391 Rep. Kropf

Agrees with Rep. Verger.

TAPE 107, B

007	Rep. Zauner	Asks how this project would affect the commuter rail between Salem and Eugene.
010	Rep. Kropf	Discusses approaches to commuter rails. Advocates for the need to be creative in transportation planning.
038	Rep. Nelson	Asks about a project that will use the toll-road concept.
042	Rep. Kropf	Indicates he does not recall that project.
048	Jacob Brostoff	1000 Friends of Oregon. Outlines opposition to HB 3195.
077	Rep. Kropf	Asks Mr. Brostoff about the need to address population growth.
081	Brostoff	Proposes a process for transportation planning using land use planning. Asserts that transportation needs have to be prioritized.
101	Chair Starr	Asks if urban growth boundaries need to be expanded so that people can live near to where they work.
107	Brostoff	Responds "No."
114	Chair Starr	Asks if there will be situations where 1000 Friends of Oregon will support expanding urban growth boundaries.
115	Brostoff	Replies that in certain situations it will be supported.
120	Tindall	Discusses the possibility of adding lanes to this section of I-5 (EXHIBIT E) . Explains that there is limited authorization to use toll-ways on Interstate freeways. Notes legislation that helps ODOT use creative financing options for transportation projects.
170	Tindall	Agrees that this is a good message to send to the federal government.
180	Chair Starr	Asks how much it would cost to carry out a cost-benefit analysis.
184	Tindall	Suggests that this could be included in HB 3946.
193	Rep. Kropf	Asks if passing a clearly defined project would help further discussions on creative financing.
199	Tindall	Agrees that this would be a good message to send the federal government.
220	Rep. Kropf	Asks if the bridge across the river north of Albany can be expanded.
223	Tindall	Replies that the bridges could handle third lanes. Notes a more complicated problem at the Santiam River.
236	Rep. Kropf	Asks what a cost benefit analysis would cost separate from HB 3946.
242	Tindall	Explains hesitancy on providing that information at present.
251	Rep. Kropf	Clarifies his question.
255	Tindall	Estimates that it would be roughly "tens of thousands of dollars."
261	Rep. Verger	Asks if the Road User Task Force can study this proposal.
276	Tindall	Explains that the task force could do a study, but not design the project.
289	Rep. Verger	Asks what a study is.
295	Tindall	Discusses the distinction between a study and project development.
313	Rep. Verger	Comments that studies are expensive and the findings are rarely implemented. Asks if Oregon tends to be reactive rather than proactive with problems.
329	Tindall	Acknowledges that ODOT is frequently reactive than proactive.
350	Chair Starr	Closes the public hearing on HB 3195. Opens a public hearing on HB 3106.

HB 3106 PUBLIC HEARING

363	Anna Braun	City Councilor, Salem. Supports HB 3106 (EXHIBIT F) .
378	Chair Starr	Closes the public hearing on HB 3106. Adjourns the meeting at 9:30 a.m.

Submitted By,

Kevin Wells,
Committee Assistant

Reviewed By,

John Leon,
Committee Administrator

EXHIBIT SUMMARY

- A – HB 3946, LC amendments –1 & -3, staff, 5 pp.**
- B – HB 3069, LC amendment –2 (4/18/01), staff, 2 pp.**
- C – HB 3071, LC amendment –2 (5/1/01), staff, 1 p.**
- D – HB 3593, LC amendment –5 (4/30/01), staff, 5 pp.**
- E – HB 3195, written testimony, Doug Tindall, 1 p.**
- F – HB 3106, written testimony, Anna Braun, 1 p.**