

# HOUSE COMMITTEE ON TRANSPORTATION

May 07, 2001  
8:00 AM

Hearing Room D  
Tapes 114 - 117

**MEMBERS PRESENT:** Rep. Bruce Starr, Chair  
Rep. Alan Brown, Vice-Chair  
Rep. Jeff Merkley, Vice-Chair  
Rep. Richard Devlin  
Rep. Donna Nelson  
Rep. Diane Rosenbaum  
Rep. Joanne Verger  
Rep. Cliff Zauner

**MEMBER EXCUSED:** Rep. Jeff Kropf

**STAFF PRESENT:** John Leon, Committee Administrator  
Jennifer Simmons, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 3355 – Public Hearing and Work Session  
HB 3550 – Public Hearing and Work Session  
HB 3663 – Public Hearing  
HB 3959 – Public Hearing and Work Session  
HB 3408 – 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 114, A</b>		
003	Chair Starr	Calls the committee to order at 8:10 a.m. and opens a public hearing on HB 3355.
<b><u>HB 3355 - PUBLIC HEARING</u></b>		
010	John Leon	Committee Administrator. Presents background information on HB 3355 and the -3 amendment.
035	John Watt	Representing Jackson County. Testifies in support of a partnership with Oregon Department of Transportation (ODOT).
050	Rich Peppers	Representing SEIU Local 503 OPEU. Concurs with Mr. Watt's comments and adds what their interest is.
056	Doug Tindall	Representing the Oregon Department of Transportation (ODOT). Testifies in support of HB 3355.
062	Chair Starr	Explains that there are additional pages to the amendment.
070	Rep. Verger	Comments on page 1 of the amendment regarding cooperation by the participants and would like a response if it works.
082	Chair Starr	Closes the public hearing on HB 3355 and opens a public hearing on HB 3550.
<b><u>HB 3550 – PUBLIC HEARING</u></b>		
085	Leon	Gives background information on HB 3550 and the -2 amendment.
096	Ken Armstrong	Representing the Oregon Ports Group. Testifies in support of HB 3550. States this bill appropriates no money.

135	Don Mann	General Manger, Port of Newport. Testifies in support of HB 3550.
154	Mike Burton	Assistant Director, Oregon Economic and Development Department. Testifies in support of HB 3550.
181	Chair Starr	Closes the public hearing and opens a work session on HB 3550.
<b><u>HB 3550 – WORK SESSION</u></b>		
182	Rep. Brown	<b>MOTION: Moves to ADOPT HB 3550-2 amendments dated 04/26/01.</b>
		<b>VOTE: 8-0-1</b>
		<b>EXCUSED: 1 - Rep. Kropf</b>
185	Chair Starr	<b>Hearing no objection declares the motion CARRIED.</b>
187	Rep. Brown	<b>MOTION: Moves HB 3550 to the floor with a DO PASS AS AMENDED recommendation.</b>
191	Rep. Nelson	Asks for clarification on the funding issue. Asks if we would recover these dollars from the federal government at a later date.
193	Chair Starr	Responds that currently these projects have federal funding and HB 3550 expands it to include non-federal projects. Indicates that is not my understanding and explains.
		<b>VOTE: 8-0-1</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 1 - Rep. Kropf</b>
212	Chair Starr	<b>The motion CARRIES.</b>
		<b>REP. BROWN will lead discussion on the floor.</b>
218	Chair Starr	Closes the work session on HB 3550 and opens a work session on HB 3355.
<b><u>HB 3355 – WORK SESSION</u></b>		
220	Rep. Merkley	<b>MOTION: Moves to ADOPT HB 3355-3 amendments dated 04/30/01.</b>
		<b>VOTE: 8-0-1</b>
		<b>EXCUSED: 1 - Rep. Kropf</b>
223	Chair Starr	<b>Hearing no objection declares the motion CARRIED.</b>
225	Rep. Merkley	<b>MOTION: Moves HB 3355 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 8-0-1</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 1 - Rep. Kropf</b>
230	Chair Starr	<b>The motion CARRIES.</b>
		<b>REP. ROSENBAUM will lead discussion on the floor.</b>
237	Rep. Nelson	Asks that those who testified supply written copies of their testimony.
244	Chair Starr	Closes the work session on HB 3355 and opens a public hearing on HB 3663.
<b><u>HB 3663 – PUBLIC HEARING</u></b>		
250	Leon	Presents background information on HB 3663 and the –2 amendment.
264	Rep. Alan Brown	House District 4. Testifies in support of HB 3663. Speaks about the situation in Lincoln County.
310	Rob Bovett	Assistant County Counsel, Lincoln County. Submits written testimony ( <b>EXHIBIT A</b> ) and testifies in support of HB 3663 and the –2 amendment.
<b>TAPE 115, A</b>		
019	Rep. Devlin	Asks if this issue has been before them in previous sessions. Asks if there was a bill in 1997.
030	Bovett	Responds that in 1999 SB 524 was proposed and explains the

042	Rep. Rosenbaum	differences. States no and explains what was transpiring in 1997. Asks if there is an agreement in principal that has already been reached.
050	Bovett	Answers that by all but one critical party and explains.
054	Rep. Rosenbaum	Asks other than the county, who are the other parties involved.
060	Bovett	Explains that there are a variety of groups and entities involved.
065	Rep. Rosenbaum	Asks why they should support a bill that has a retroactive effect.
075	Bovett	Answers that they want finality and gives an explanation.
089	Rep. Rosenbaum	Asks why these companies would still contribute to the settlement fund if this bill could absolve them from responsibility.
093	Bovett	Responds with possible reasons why they should.
115	Mike Collmeyer	Staff Attorney for 1000 Friends of Oregon. Submits written testimony ( <b>EXHIBIT B</b> ) and testifies in opposition of HB 3663.
164	Christine Cook	Representing 1000 Friends of Oregon. Testifies in opposition of HB 3663. Speaks about the need for settlement.
180	Fran Recht	Conservation Director, Oregon Shores Conservation Coalition. Submits written testimony ( <b>EXHIBIT C</b> ) and testifies in opposition of HB 3663.
234	Rep. Rosenbaum	Asks for clarification on a statement from Mr. Collmeyer's written testimony.
244	Collmeyer	Answers by explaining where he got the premise and reads a quote from the Newport News Times.
287	Rep. Verger	Asks if Ocean Shores is involved in the mediation.
295	Recht	Responds yes they are and they have signed the agreement in principal.
304	Russell Barney	Private citizen previously from Yachats, OR. Testifies in support of HB 3663. States that the tranquility in the community has been disrupted greatly.
350	Andy Clark	Attorney for Cleaves, Swearigen. Testifies in support of HB 3663.
<b>TAPE 114, B</b>		
006	Chair Starr	Asks what is the change in Goal 17.
008	Clark	Gives an overview of Goal 17.
032	Charlotte Mills	Representing the Friends of the Historic 804 County Road and Hiking Trail. Submits written testimony ( <b>EXHIBIT D</b> ) and testifies in opposition of HB 3663.
159	Norma McMillin	Representing the Friends of the Historic 804 County Road and Hiking Trail. Testifies in opposition of HB 3663.
260	Onno Husing	Director, Oregon Coastal Zone Management Association. Testifies in support of HB 3663. Explains how remapping used to be done.
<b>TAPE 115, B</b>		
005	Bob Brindy	Representing the Department of Land Conservation and Development (DLCD). Speaks about how long the mediation process has gone on.
038	Chair Starr	Asks if you recognize a potential for other such cases and how broadly were the regulations under rule 6 of Goal 17.
043	Brindy	Responds that it could be possible for the situation to happen again and explains.
066	Arthur Roberts	Private citizen from Yachats, OR. Testifies in support of HB 3663.
123	David Chamberlin	Private citizen from Yachats, OR. Submits written testimony ( <b>EXHIBIT E</b> ) and testifies in support of HB 3663.

236	Joel Evans	Private citizen from Yachats, OR. Submits written testimony <b>(EXHIBIT F)</b> and testifies in support of HB 3663.
396	Chair Starr	Closes the public hearing on HB 3663 and opens a public hearing on HB 3959.
<b><u>HB 3959 - PUBLIC HEARING</u></b>		
306	Leon	Gives a brief summary of HB 3959.
319	Rep. Kelley Wirth	House District 35. Testifies in support of HB 3959.
357	Helen Berg	Mayor, Corvallis, OR. Submits written testimony <b>(EXHIBIT G)</b> and testifies in support of HB 3959.
<b>TAPE 116, A</b>		
035	Berg	Continues with her testimony.
097	Charles Tomlinson	President, Corvallis City Council. Testifies in support of HB 3959.
119	Chair Starr	Asks if you would go to the voters with the tax issue or is that something that the district itself could enact.
125	Berg	Responds the transit district will need approval by the voters and explains.
131	Rep. Zauner	Asks if it would require 50% of the people vote.
134	Berg	States that it may be dependent on if that is November of an even number year and explains.
142	Rep. Devlin	Comments that he thinks Measure 50 only applies to property tax issues. Notes that if you went to a payroll tax that would probably not require a double majority vote.
145	Berg	Responds yes and explains that this transportation district would be supported by property taxes. States there is currently legislation that would enable a transit district to be allocated from the state a payroll excise tax and explains.
179	Rep. Verger	Asks if the county will be managing this.
184	Berg	Responds that the management of the “special transportation fund” does still need the management of the county and explains.
205	Rep. Wirth	Explains that is for “special transportation” which provides services to seniors and disabled.
212	Rep. Nelson	References page 2 of Mayor Berg’s testimony. Asks what types of funds are being referred to.
225	Berg	Explains about current legislation that allows a “mass transit” or a “transportation district” to apply for state funds.
234	Rep. Nelson	Asks if those are the only additional funds available if you form this district. Asks what is the total that relates to.
237	Berg	States that is my understanding. Responds that the total has been estimated to be \$750,000.00 annually and gives additional explanation.
271	Rep. Devlin	Asks if public employers normally pay the payroll tax or do they pay an in lieu of tax. Asks if the City of Corvallis would be subject to the tax also.
281	Bernie Bottomlee	Representing Tri-Met. Responds that the state pays an in lieu of tax but local jurisdictions are subject to the payroll tax. States that is correct and the agency itself.
283	Rep. Devlin	Asks if passage would not permit a city within Tri-Met to form its own transit district without going through the process to exempt itself from the Tri-Met district.
292	Bottomlee	Responds that he believes that is correct.
300	Rob Specter	Vice President, Finance and Administration, Oregon State University. Submits written testimony <b>(EXHIBIT H)</b> and testifies in opposition of HB 3959.

353	Jock Mills	Director of Government Relations, Oregon State University. Testifies in opposition of HB 3959.
366	Mary Nolan	Corvallis Chamber of Commerce. Testifies in opposition of HB 3959.
<b>TAPE 117, A</b>		
021	Chair Starr	Asks if the city is required to go to voters asking for this taxing authority.
024	Jock Mills	States that our understanding is there would be a local election and explains.
031	Jon Nelson	Representing the City of Corvallis. Testifies in support of HB 3959.
057	Chair Starr	Recaps his understanding on HB 3959.
066	Nelson	Concurs and gives further explanation.
071	Chair Starr	Expresses his concern on HB 3959.
081	Nelson	Responds that the city did submit ideas for the legislation and explains.
090	Rep. Devlin	References the statement “that the City of Corvallis might exempt a lot of private employers” and states his experience is that Tri-Met hardly exempts anyone. Asks what you understand the intent of the city is.
095	Nelson	Conveys that Corvallis is “the land of equity” and he would be very surprised if the City Council establish exclusions for certain businesses and explains options that they are currently looking at.
100	Rep. Devlin	Describes a scenario and asks if that is what has been found in their analysis.
114	Nelson	Answers that is a good analysis and explains.
121	Chair Starr	Closes the public hearing and opens a work session on HB 3959.
<b><u>HB 3959 – WORK SESSION</u></b>		
127	<b>Rep. Rosenbaum</b>	<b>MOTION: Moves HB 3959 to the floor with a DO PASS recommendation.</b>
131	Rep. Devlin	Acknowledges that he will vote for the motion but states he would like to see a subsequent referral to Ways and Means.
136	Rep. Nelson	Discloses her difficulty in supporting HB 3959.
142	Chair Starr	Urges Rep. Nelson to vote her conscience.
146	Rep. Devlin	Expresses his reason for going ahead and voting for the motion at this time.
151	Rep. Merkley	Conveys that he too shares the concerns that have been expressed but will support the motion at this time.
158	Rep. Zauner	States he will not support the bill. <b>VOTE: 5-2-2</b>
		<b>AYE: 5 - Brown, Devlin, Merkley, Rosenbaum, Starr</b>
		<b>NAY: 2 - Nelson, Zauner</b>
		<b>EXCUSED: 2 - Kropf, Verger</b>
161	<b>Chair Starr</b>	<b>The motion CARRIES.</b>
		<b>REP. WIRTH will lead discussion on the floor.</b>
167	Chair Starr	Closes the work session on HB 3959 and opens a public hearing on HB 3408.
<b><u>HB 3408 – PUBLIC HEARING</u></b>		
174	Chair Starr	States that discussions are still taking place on the amendments for HB 3408.
185	Chair Starr	Closes the public hearing on HB 3408 and adjourns the committee at 10:38 a.m.

Submitted By,

Jennifer Simmons,  
Committee Assistant

Transcribed By,

Sara Noble  
Committee Assistant

Reviewed By,

John Leon,  
Committee Administrator

### **EXHIBIT SUMMARY**

- A – HB 3663, written testimony, Rob Bovett, 10 pp.**
- B – HB 3663, written testimony, Mike Collmeyer, 3 pp.**
- C – HB 3663, written testimony, Fran Recht, 12 pp.**
- D – HB 3663, written testimony, Charlotte Mills, 2 pp.**
- E – HB 3663, written testimony, David Chamberlin, Jr., 2 pp.**
- F – HB 3663, written testimony, Joel Evans, 1 p**
- G – HB 3959, written testimony, Helen Berg, 13 pp.**
- H – HB 3959, written testimony, Rob Specter, 2 pp.**