

**SENATE COMMITTEE ON GENERAL GOVERNMENT AND
TRANSPORTATION**

March 27, 2001 Hearing Room 343
3:00 pm Tapes 64 - 66

MEMBERS PRESENT: **Sen. Gary George, Chair**
 Sen. Rick Metsger, Vice-Chair
 Sen. Margaret Carter
 Sen. Bev Clarno
 Sen. Ken Messerle

STAFF PRESENT: **Patrick Balducci, Administrator**
 Nancy Masee, Committee Assistant

MEASURE/ISSUES HEARD:
 HB 2722 Public Hearing
 HB 2721A Public Hearing and Work Session
 SB 85 Public Hearing and Work Session
 SB 753 Public Hearing and Work Session
 HJR 6 Public Hearing and Work Session
 SB 153 Public Hearing and Work Session
 SB 159 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 64, A		
003	Sen. Gary George	Chair. Opens meeting at 3:08 pm. Opens public hearing on HB 2722 and HB 2721A.
HB 2722 AND HB 2721A PUBLIC HEARING		
010	Patrick Balducci	Committee Administrator. Explains HB 2722 and HB 2721A.
041	Rep. Jeff Kropf	House District 37. Explains his personal interest as a volunteer fire captain in fire protection. Gives background on HB 2721A and HB 2722.
060	Burton Weast	Oregon Special Districts Association and the Oregon Fire District Directors Association. Both bills are supported by the joint Fire Service Legislative Committee. Says there will be amendments on HB 2722. Comments that HB 2721 states what has been occurring for years—passing on equipment to lesser advantaged fire departments.
111	Sen. Carter	Asks how this deviates from the public contracting law.
113	Weast	Explains if property has value it has to be put out for public bid. The definition of value is what determines how the property is handled.
120	Ken Armstrong	Oregon Fire Chiefs Association. Describes how equipment is exchanged and used by those who need it.
	Chair George	Closes public hearing. Opens work session on HB 2721A. Clarno excused. All others vote yes. Messerle carries.
HB 2721A WORK SESSION		
125	Sen. Metsger	MOTION: Moves HB 2721A to the floor with a DO PASS

		recommendation.
127		VOTE: 4-0
	Chair	EXCUSED: 1 - Clarno
		Hearing no objection, declares the motion CARRIED.
		SEN. MESSERLE will lead discussion on the floor.
128	Chair George	Closes work session. Opens public hearing on SB 85.
SB 85 PUBLIC HEARING		
138	Balducci	Explains SB 85 with the -4 amendment (EXHIBIT A).
186	Tricia Smith	Oregon School Employees Association. OSEA, COSA and OSBA agree to the -4 amendments. There is no known opposition to the bill. Explains that the fiscal statement needs to be changed.
219	Deborah Lincoln	Oregon Department of Education. (DOE). Explains the fiscal analysis. Staff and computer program cost. Estimates processing of 2,000 activity drivers per year.
287	Smith	Discusses an amendment with an emergency clause so that they can reduce the costs.
296	Sen. Messerle	Asks about replacing pre-1977 buses.
300	Balducci	Explains bus compliance with the federal safety standards.
305	Smith	Currently DOE rules require any vehicles larger than 10 capacity must meet federal safety standards if built after 1977 or put into service after 1986.
320	Sen. Messerle	Asks if districts can buy new buses. Asks the estimate of financial impact on school districts.
350	Chuck Bennett	Confederation of School Administrators. Comments there are approximately 132 pre-1977 buses on the road now. The cost to replace them would be \$75,000 each.
355	Sen. Messerle	Asks if there have been any districts that have retrofitted those buses.
358	Lincoln	Answers that retrofitting the old buses would be impossible. Describes bus construction. Some things cannot be done to update buses.
362	Smith	Discusses the high cost of retrofitting. It cost \$102,000 to retrofit the bus described in the example. School Districts that tried this would be subjected to accidents due to aged buses.
TAPE 65, A		
034	Sen. Messerle	Asks about the traveling buses. Asks if any coach accidents resulted in the death of students.
045	Lincoln	Describes fatality at Hermiston, Oregon when a Washington bus crashed and the driver was killed
055	Sen. Carter	States the cost is too great to support the risk in updating these buses. If the buses were out of compliance, the district would have significant legal liability.
060	Bennett	Discusses problems of small school districts in transporting students to activities but do not have sufficient funds to replace buses.
100	Lincoln	About 400 buses per year are entered into the fleets. About 117 are pre-1977.
130	Smith	Explains reimbursements.
	Chair	Closes public hearing. Opens work session on 85.
	Chair	Opens public hearing on SB 753.
135	Sen. Metsger	MOTION: Moves to ADOPT SB 85-4 amendments dated 03/23/01.

137 **VOTE: 4-0**
EXCUSED: 1 - Clarno
Hearing no objection, declares the motion CARRIED.

149 Chair
Chair
SB 753 PUBLIC HEARING
150 Balducci Explains SB 753 and the –1 amendments (**EXHIBIT B**).
160 Claudia Howells Explains the amendments. Introduces John Fink who can explain
the financing elements of the bill.
162 Sen. Carter Asks if the \$2 million is in the Governor’s budget.
165 Howells Answers it is not.
167 Sen. Metsger Answers it is Sen. Messerle and Sen. Metsger’s bill. Says they
are looking for the money.
195 Sen. Messerle Says if a fund were established, then federal funds could be
added.
205 Howells The federal funding program requires a 20 percent match.
Chair Asks for questions.
Balducci Suggests changing the text in the bill somewhat. The bill can be
revised in Ways and Means.
Howells ODOT supports establishing a fund. It is not in the governor’s
budget .
238 Balducci Explains wording change on page 2.
Chair Closes public hearing. Opens work session.

230 **Sen. Metsger** **MOTION: Moves to ADOPT SB 753-1 amendments dated**
3/22/01.

231 **VOTE: 4-0**
EXCUSED: 1 – Clarno
Hearing no objection, declares the motion CARRIED.

232 **Sen. Metsger** **MOTION: Moves SB 753 to the floor with a DO PASS AS**
AMENDED recommendation and BE
REFERRED to the committee on Ways and
Means by prior reference.

234 **VOTE: 4-0**
EXCUSED: 1 – Clarno
Hearing no objection, declares the motion CARRIED.

238 Chair
HJR 6 PUBLIC HEARING
240 Balducci Explains HJR 6.
242 Doug Tindall Oregon Department of Transportation (ODOT) explains reasons
for naming the Sunset Tunnel for deceased ODOT employee,
Dennis Edwards.
244 Chair
HJR 6 WORK SESSION
245 **Sen. Metsger** **MOTION: Moves HJR 6 be sent to the floor with a BE**
ADOPTED recommendation.
VOTE: 5-0
Hearing no objection, declares the motion CARRIED.
SEN. GEORGE will lead discussion on the floor.
246 Chair Closes work session. Opens public hearing on SB 153.
247 Chair George
SB 153 PUBLIC HEARING
248 Balducci Explains SB 153.
TAPE 64, B

005	Kevin Campbell	Executive Director, Oregon Association Chiefs of Police. Describes training for police officers. Stresses need for officers to know how to use the speed detection devices and that officer training is necessary. Supports the –1 amendments.
036	Sen. Carter	Asks if they will support the bill with the –1 amendments.
040	Campbell	Says the association thinks they can do it without a bill. They support the –1 amendments.
045	Sen. Messerle	Asks if the academies can handle this.
057	Chair George	Says he has a concern that proper training is important.
073	Sen. Bill Fisher	Senate District 23. Supports SB 153. Explains the Oregon State Police (OSP) have demonstrated to him how speed detection devices are used and can be misused.
141	Sen. Messerle	Asks about the –1 amendments. Says the amendment says it is up to the employer to require training.
148	Sen. Fisher	States police training would make court testimony by officers stronger.
154	Chair George	Asks if the manufacturers of the ladar devices have training programs.
161	Curt Curtiss	Sergeant, OSP. Explains the present standards. Says the burden for training should be on the agency (EXHIBIT D).
268	Chair George	Stresses importance of training for officers.
271	Sen. Fisher	Describes the economy in his district and does not wish financial burdening of the district for more training. Expresses appreciation for the work done on the amendments.
280	Russ Spencer	Sheriffs Association. Supports SB 153. Supports the –1 amendments.
285	Chair George	Closes public hearing. Opens work session on SB 153
SB 153 WORK SESSION		
286	Sen. Metsger	MOTION: Moves to ADOPT SB 153-1 amendments dated 3/27/01.
287		VOTE: 5-0
	Chair	Hearing no objection, declares the motion CARRIED.
288	Sen. Metsger	MOTION: Moves SB 153 to the floor with a DO PASS AS AMENDED recommendation.
289		VOTE: 5-0
	Chair George	Hearing no objection, declares the motion CARRIED. SEN. FISHER will lead discussion on the floor.
290	Chair George	Closes work session. Opens public hearing on SB 159.
SB 159 PUBLIC HEARING		
295	Balducci	Explains SB 159.
362	Sen. Fisher	Supports SB 159. Explains reasons for the bill. Explains there may be amendments.
TAPE 65, B		
064	Sen. Clarno	Supports SB 159. Describes abandoned vehicles in eastern Oregon.
066	Sen. Carter	Thanks Sen. Fisher for bringing the bill forward.
075	Sen. Fisher	Discusses abandoned vehicles and problems.
080	Chair George	Asks parties to try to modify the bill so that it can be passed.
098	Kelly Taylor	ODOT. Explains that most abandoned vehicles cannot be traced to those who abandoned them. Explains how registered owners could get stuck with bills even though they have sold the vehicle to the person who abandoned it (EXHIBIT E).
168	Sen. Messerle	Asks if the seller is not responsible for transferring the title.

174	Taylor	Explains transfer of title.
180	Sen. Messerle	Asks if the problem could be solved if the sellers had to transfer the title when a car is sold.
185	Sen. Metsger	Asks for the definition of an “abandoned vehicle.”
188	Taylor	Reads from the bill.
212	Curtiss	OSP. Explains abandoned vehicles. States the rule that after 24 hours OSP can tag and tow vehicles to eliminate vandalism.
290	Sen. Messerle	Suggests not applying this to cities.
304	Chair George	States the problem of abandoned vehicles.
308	Sen. Fisher	Discusses selling vehicles and abandoned vehicles. Says the problem is protecting sellers of vehicles from the purchasers abandoning or destroying vehicle.
362	Curtiss	Suggests adding another classification of abandoned vehicles under ORS.
370	Sen. Carter	Asks about a bill in previous session to protect sellers.
411	Taylor	Discusses previous attempts at legislation.
415	Chair George	Asks Sen. Fisher to continue working on the bill.
420	Sen. Fisher	States that Kelly Taylor has been very helpful.
TAPE 66A		
021	Mark Landauer	City of Portland. States that the City of Portland is willing to work on improving this bill.
022	Sen. Carter	Asks about ticketing by the police because of cars parked less than a month on the street to be fixed. Asks if that is the usual procedure.
030	Landauer	Explains current law is that a car parked on a public right of way for more than 24 hours is considered abandoned even in residential districts. Offers to check with the police bureau as to why the cars referred to were cited.
050	Sen. Carter	Describes an instance when a car was parked on private property and towed away as an abandoned vehicle on 25 th and Beacon.
060	Landauer	Gives personal experience on an abandoned vehicle. Had to call tow company but was not held liable. Describes certain instances when a vehicle is a public nuisance.
087	Mel Zucker	Chair, Ramsey-Walmer Road District. Describes abandoned cars in roadways in his district. Describes how paving had to be postponed for months because of abandoned cars in the area and failure of city and county to act. Says the law in the area of abandoned cars is very fuzzy.
127	Landauer	Explains how the Portland abandoned vehicle department is overloaded. There is a 3- week delay to even put notices on them.
130	Chair George	Asks Sen. Carter to chair a work group to look at the –1 amendments and to deal with ways to deal with the backlog of abandoned vehicles and protect the right to leave a vehicle in front of their residence.
135	Sen. Carter`	Agrees to work on the issue with Mark Landauer.
138	Chair George	Adjourns meeting at 5:05 pm.

Submitted By,

Reviewed By,

Nancy Masee,
Committee Assistant

Patrick Balducci,
Administrator

Janet Adkins
Administrator

EXHIBIT SUMMARY

- A – SB 85, -4 amendments, Staff, 2 pp**
- B – SB 753, -1 amendments, Staff, 3 pp**
- C – HJR 6, written testimony, Doug Tindall, 1 p**
- D – SB 153, written testimony, Curt Curtiss, 2 pp**
- E – SB 159, written testimony, Kelly Taylor, 2 pp**