

SENATE COMMITTEE ON PUBLIC AFFAIRS

May 15, 2001 Hearing Room 343

3:00 p.m. Tapes 7 - 8

MEMBERS PRESENT: Sen. Verne Duncan, Chair
Sen. Rick Metsger, Vice-Chair
Sen. Margaret Carter
Sen. Bev Clarno
Sen. Ken Messerle

STAFF PRESENT: Janet Adkins, Administrator
Nancy Masee, Committee Assistant

MEASURE/ISSUES HEARD:
SB 107 Work Session
SB 635 Work Session
HB 2178A Work Session
SB 817 Work Session
HB 2936 Work Session
HB 2866A Work Session
SB 159 Work Session
HB 3349 Work Session
HB 2818 Work Session
HB 2562B Work Session
HB 2638A Work Session
HCR Work Session

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 7, A		
008	Sen. Verne Duncan	Chair. Opens meeting 3:10 pm. Chair suffers from laryngitis today.
010	Sen. Rick Metsger Vice Chair	Opens public hearing on HB 2818.
HB 2818 PUBLIC HEARING		
012	Rep. Bruce Starr	District 3. Supports HB 2818. Supports -1 amendments. (EXHIBIT A)
025	Bob Russell	Oregon Trucking Associations. Supports HB 2818 and amendments.
036	Doug Tindall	ODOT. Concerns were relieved by the amendments. (EXHIBIT B)
042	Sen. Messerle	Comments on difficulty of different standards in states.
048	Chair Duncan	Closes public hearing. Opens work session on HB 2818.
HB 2818 WORK SESSION		
050	Sen. Metsger	MOTION: Moves to ADOPT HB 2818-1 amendments dated 5/15/01.
052		VOTE: 4-0 EXCUSED: 1 – Clarno
	Chair	Hearing no objection, declares the motion CARRIED.

053	Sen. Metsger	MOTION: Moves HB 2818 to the floor with a DO PASS AS AMENDED recommendation.
054		VOTE: 4-0
		EXCUSED: 1 – Clarno
055	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. MESSERLE will lead discussion on the floor.
056	Chair Duncan	Opens public hearing on HCR 9.
		HCR 9 PUBLIC HEARING
062	Rep. Betsy Johnson	District 1. Explains HCR 9. Celebrates bar pilots of the Columbia River who face extreme danger every trip.
087	Staff	Submits (EXHIBIT C) .
088	Chair Duncan	Closes public hearing. Opens work session on HCR 9.
		HCR 9 WORK SESSION
090	Sen. Metsger	MOTION: Moves HCR 9 be sent to the floor with a BE ADOPTED recommendation.
091		VOTE: 4-0
		EXCUSED: 1 – Messerle
	Chair	Hearing no objection, declares the motion CARRIED. SEN. METSGER will lead discussion on the floor.
094	Chair Duncan	Closes work session. Opens work session on SB 107.
		SB 107 WORK SESSION
104	Chair Duncan	Opens public hearing on SB 107 with the –3 amendments.
106	Sen. Messerle	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. MESSERLE to BE RECORDED as voting AYE on the motion to move HCR 9 to the floor and be adopted.
		VOTE: 5-0
107	Chair Duncan	Hearing no objection, declares the motion CARRIED. Sen. Messerle – Aye vote
108	Sen. Metsger	Asks to hear the explanation of the –3 amendments to SB 107.
118	Steve Preston	Explains the –3 amendments. (EXHIBIT D)
128	Mark Landauer	City of Portland. Opposes the –3 amendments. Addresses concerns about the amendments.
150	Steve Preston	Towing Company owner. Explains the processing and cost of moving vehicles that the police have requested to be towed.
170	Sen. Bill Fisher	District 23. Relates fines of \$100 that Roseburg places on towing companies. Supports the –3 amendments.
239	Sen. Messerle	Asks if the towing companies support the –3 amendments. Do all towing companies have contracts with the cities.
	Sen. Messerle	Asks if it is fair that the towing companies should operate with these losses.
244	Preston	Responds not all tow companies have contracts with cities. The associations support the –3 amendments.
252	Landauer	Explains how SB 107 could financially affect the cities. Suggests limiting fees to the release fee only.
257	Sen. Messerle	Asks how the tow company contracts are awarded.
260	Preston	Answers it is not a bid. The tow company meets the contract requirements.
252	Al Elkins	Explains that the amendments had to be written according to statute.
253	Sen. Messerle	Asks how a price is arrived at.
254	Landauer	Answers the city makes the price.
255	Landauer	Explains the city looks at the administrative fees required and

		sets the price.
256	Preston	Comments the City of Portland also surveys other cities to arrive at a price.
251	Sen. Messerle	Asks about the charge of the cities.
255	Sen. Carter	Says she thinks this bill pre-empts city officials.
355	Sen. Metsger	Agrees with Sen. Carter. It is a contract between a private company and the city.
356	Sen. Messerle	MOTION: Moves to ADOPT SB 107-3 amendments dated 5/14/01.
359	Sen. Fisher	States this issue is not just with the city of Portland and the city of Roseburg. Explains problems in Douglas County with the sheriffs and also the state police.
357		VOTE: 3-2 AYE: 3 - Clarno, Messerle, Duncan NAY: 2 - Carter, Metsger
358	Chair Duncan	The motion CARRIES.
359	Sen. Messerle	MOTION: Moves SB 107 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 3-2 AYE: 3 - Clarno, Messerle, Duncan NAY: 2 - Carter, Metsger
360	Chair Duncan	The motion CARRIES.
		SEN. FISHER will lead discussion on the floor.
361	Chair Duncan	Closes work session. Opens public hearing on HB 2638A.
HB 2638A PUBLIC HEARING		
370	Rep. Bill Witt	District 7. Explains HB 2638A. Requires notice to a car owner within 15 days after car is towed and is in custody.
TAPE 8A		
050	Rep. Al King	District 44. Explains background of HB 2638A. Discusses there is agreement between the parties in a letter.
072	Monty King	Oregon Independent Auto Dealers Association. Explains the agreement was changed from 2 days in the original bill to 15 days. (EXHIBIT E)
090	Sen. Carter	Asks which amendments are agreed upon.
092	Monty King	Replies the –8 amendments are wanted. (EXHIBIT F)
095	Rep. Witt	Says he has not seen all of the amendments
096	Steve Preston	Oregon Tow Truck Association.
097	Al Elkins	Oregon Tow Truck Association. Describes the problems with the bill. Says there is no written notice now. Notice is a phone call from the police and their record is kept for a short time.
180	Kelly Taylor	ODOT. Explains how the tow truckers get information from ODOT. Says the –A7 amendments are not needed. ODOT has had a one-day turn around for years. The bill lessens the time holding a car before notification.
185	Chair Duncan	Closes public hearing on HB 2638. Opens work session on HB 2638A.
HB 2638A WORK SESSION		
188	Sen. Metsger	MOTION: Moves HB 2638A to the floor with a DO PASS recommendation.
		VOTE: 5-0
190	Chair Duncan	Hearing no objection, declares the motion CARRIED.
		SEN. CARTER will lead discussion on the floor.
192	Chair Duncan	Closes work session. Opens work session on HB 2178A.

HB 2178A WORK SESSION

198 Adkins Explains HB 2178A.
201 Sen. Carter Discusses her findings in her district. Says she will support the bill.
203 **Sen. Metsger** **MOTION: Moves HB 2178A to the floor with a DO PASS recommendation.**
VOTE: 5-0
204 **Chair Duncan** **Hearing no objection, declares the motion CARRIED.**
SEN. MESSERLE will lead discussion on the floor.
206 Chair Duncan Closes work session. Opens public hearing on SB 817.

SB 817 PUBLIC HEARING

209 Randy Hilderbrand Staff for Sen. Clarno. Explains SB 817 and the –3 amendments. Thanks those who helped create the bill. **(EXHIBIT G)**
210 Al Elkins Car Rental and Truck Leasing Association of Oregon. Supports the –3 amendments. Thanks Sen. Clarno and Randy.
213 Rich Peppers SEIU Local 503 OPEU. Supports the –3 amendments. States additional amendments will be suggested on the House side.
215 Dugan Petty DAS. Supports SB 817. Gives changes to be requested on the House side.
220 Chair Duncan Closes public hearing on SB 817. Opens work session on SB 817.

SB 817 WORK SESSION

221 **Sen. Metsger** **MOTION: Moves to ADOPT SB 817-3 amendments dated 5/15/01.**
VOTE: 5-0
222 **Chair** **Hearing no objection, declares the motion CARRIED.**
223 **Sen. Metsger** **MOTION: Moves SB 817 to the floor with a DO PASS AS AMENDED recommendation.**
224 **Chair** **VOTE: 5-0**
Hearing no objection, declares the motion CARRIED.
SEN. CLARNO will lead discussion on the floor.
225 Chair Duncan Closes work session. Opens public hearing on SB 159.

SB 159 PUBLIC HEARING

227 Sen. Bill Fisher District 23. Asks the committee to support SB 159-3. **(EXHIBIT H)**
260 Al Elkins Oregon Tow Truck Association. Explains SB 159 is the result of a task force session. Addresses abandoned vehicle problem in the state. Explains the –3 amendments. **(EXHIBIT I)**
270 Kelly Taylor Explains the –2 amendments. Supports the –3 amendments.
285 Curt Curtiss Oregon State Police (OSP). Explains the –3 amendments and supports them.
301 Steve Preston Oregon Tow Truck Association. Supports the –3 amendments.
310 Sen. Metsger Asks about license suspensions for abandoned cars.
315 Taylor Explains the steps followed in tagging and processing an abandoned car. Explains how “last registered owners” are liable if they do not inform DMV of the vehicle’s sale and new owner.

TAPE 7B

030 Adkins Asks how long the seller notice requirement when vehicle is sold has been required by DMV.
040 Taylor Describes process of seller’s notices and notifying DMV. The fiscal for the –3 would be no different from the –2.
057 Sen. Carter Asks about the bill.
060 Taylor Explains the processing. This is a more streamlined process

077	Curtiss	than the original bill.
080	Chair Duncan	Compares law enforcement role with the previous bill.
SB 159 WORK SESSION		Closes public hearing. Opens work session on SB 159.
081	Sen. Metsger	MOTION: Moves to ADOPT SB 159-3 amendments dated 5/15/01.
		VOTE: 5-0
082	Chair Duncan	Hearing no objection, declares the motion CARRIED.
083	Sen. Metsger	MOTION: Moves SB 159 with a DO PASS AS AMENDED recommendation BE REFERRED to the committee on Ways and Means.
		VOTE: 5-0
085	Chair Duncan	Hearing no objection, declares the motion CARRIED.
086	Chair Duncan	Closes work session. Opens public hearing on HB 2936.
HB 2936 PUBLIC HEARING		
100	Cindy Robert	American Institute of Architects (AIA). Supports HB 2936. Explains the difference between design and construction entities.
122	John Baker	AIA. Describes reasons for HB 2936.
132	Nick Shur	Architectural firm. Supports HB 2936. Design work is described. HB 2936 allows working with one entity rather than several. (EXHIBIT J)
151	Marshall Coba	Consulting Engineers Council of Oregon. Supports HB 2936.
153	Chair Duncan	Closes public hearing. Opens work session on HB 2936.
HB 2936 WORK SESSION		
154	Sen. Metsger	MOTION: Moves HB 2936 to the floor with a DO PASS recommendation.
		VOTE: 5-0
155	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. CARTER will lead discussion on the floor.
156	Chair Duncan	Closes work session. Opens public hearing on HB 2866A.
HB 2866A PUBLIC HEARING		
160	Harlan Levy	Staff Attorney, Oregon Association of Realtors (OAR). Relates to urban interface fire protection and fees. Supports HB 2866A. (EXHIBIT K)
190	Jim Wolf	ODF. Supports HB 2866A. (EXHIBIT L)
192	Sen. Metsger	Mentions he does not like putting a small fee in statute.
193	Chair Duncan	Closes public hearing. Opens work session on HB 2866A.
HB 2866A WORK SESSION		
195	Sen. Metsger	MOTION: Moves HB 2866A to the floor with a DO PASS recommendation.
		VOTE: 5-0
197	ChairDuncan	Hearing no objection, declares the motion CARRIED. SEN. CLARNO will lead discussion on the floor.
198	Chair Duncan	Closes work session. Opens public hearing on HB 3349.
HB 3349 PUBLIC HEARING		
205	Capt. Gary Lewin	Columbia River Bar Pilots. Supports HB 3349. Explains the original jurisdictions of the pilots. The danger of the bar is further than originally thought. (EXHIBIT M)
220	Chair Duncan	Closes public hearing. Opens work session on HB 3349.
HB 3349 WORK SESSION		
221	Sen. Metsger	MOTION: Moves HB 3349 to the floor with a DO PASS recommendation.

VOTE: 4-0
EXCUSED: 1 – Clarno
Hearing no objection, declares the motion CARRIED.
SEN. DUKES will lead discussion on the floor.

222 **Chair Duncan**
223 Chair Duncan
HB 2562B PUBLIC HEARING
224 Jeanne Wilkinson Oregon Farm Bureau. Supports HB 2562B. Gives a narrow exception to the graduated drivers license law.

235 Doug Kramer Farmer. Supports HB 2562B.
240 Katie Cate Oregon Cattleman’s Association. Supports HB 2562B.
245 Kelly Taylor ODOT. Supports HB 2562B.
250 Chair Duncan Closes public hearing. Opens work session on HB 2562B.

HB 2562B WORK SESSION
252 Sen. Metsger Says he will vote no on the floor.
255 Sen. Carter Says she will note no on the floor.
260 Sen. Messerle Says these youths are somewhat supervised. Asks about the amendments (**EXHIBIT N**).

280 Sen. Metsger Explains the bill is being proposed without the amendments.
281 Sen. Metsger **MOTION: Moves HB 2562B to the floor with a DO PASS recommendation.**

VOTE: 3-2
AYE: 3 – Clarno, Messerle, Duncan
NAY: 2 – Carter, Metsger
The motion CARRIES.
SEN. MESSERLE will lead discussion on the floor.

282 **Chair**
 Chair Duncan Closes work session on HB 2562B. Opens work session on SB 635.

SB 635 WORK SESSION
300 Richard Van Canby. Authored SB 635. Explains conceptual amendment to Hoomissen
 Hoomissen SB 635.
312 Chair Duncan Reiterates changes on **line 28, delete “Interstate 205 and”.** **On page 2, section 5-6, delete all.**
325 Adkins Repeats the conceptual amendment does not include the –1 amendments. Clarifies conceptual amendment to read that original bill strike “**Interstate 205 and**” on line 28 and **all of page 2.** There is subsequent referral to Ways and Means.

TAPE 8,B
025 Sen. Metsger **MOTION: Moves to AMEND SB 635 on page 1, in line 28, delete "Interstate 205 and" and delete all of page 2"**

VOTE: 5-0
027 **Chair Duncan** **Hearing no objection, declares the motion CARRIES.**
028 Sen. Metsger **MOTION: Moves SB 635 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

VOTE: 5-0
030 **Chair Duncan** **Hearing no objection, declares the motion CARRIED.**
 SEN. METSGER will lead discussion on the floor.
073 Van Hoomissen Thanks the committee for their help.
076 Chair Duncan Thanks the committee. Adjourns meeting at 4:35 pm.

Submitted By,

Reviewed By,

Nancy Masee,
Committee Assistant

Janet Adkins,
Administrator

EXHIBIT SUMMARY

- A – HB 2818, -1 amendments, staff, 1 p**
- B – HB 2818, written testimony, D. Tindall, 6 pp**
- C – HCR 9, written testimony, Board of Maritime Pilots, 1 p**
- D – SB 107, -3 amendments, 1 p**
- E – HB 2638A, written testimony, M. King, 9 pp**
- F – HB 2638, -8 amendments, staff, 1 p**
- G – SB 817, -3 amendments, staff, 3 pp**
- H – SB 159, -3 amendments, staff, 19 pp**
- I – SB 159, written testimony, A. Elkins, 3 pp**
- J – HB 2936, written testimony, N. Shur, 2 pp**
- K – HB 2866A, written testimony, H. Levy, 1 p**
- L. – HB 2866A, written testimony, J. Wolf, 2 pp**
- M – HB 3349, written testimony, G. Lewin, 1 p**
- N – HB 2562, -4 amendments, Staff, 2 pp**