

SENATE COMMITTEE ON PUBLIC AFFAIRS

May 08, 2001 Hearing Room 343

3:00 pm Tapes 1 - 3

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 635 Public Hearing**
- SB 821 work session**
- SB 889 work session**
- SB 740 work session**
- HB 2234 work session**
- HB 2354A work session**
- HB 3066 work session**
- HB 2133A work session**
- HB 2135 work session**
- HB 2136 work session**
- HB 2137A work session**
- HB 2138 work session**
- HB 2141A work session**
- HB 2178A public hearing**
- HB 2262 work session**
- HB 3364A 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 01, A		
030	Sen. Verne Duncan	Chair. Opens meeting at 3:10 p.m. Welcomes audience and members to the new committee on Public Affairs.
030	Staff	Submits (EXHIBIT A) committee rules.
031	Sen. Metsger	MOTION: Moves to ADOPT the proposed Committee Rules dated 12/29/98.
032		VOTE: 5-0
033	Chair Duncan	Hearing no objection, declares the motion CARRIED.
036	Chair Duncan	Opens public hearing on SB 635.
SB 635 PUBLIC HEARING		
045	Richard VanHoomisen	Sponsor of SB 635. Says he was not at the previous hearing on this bill. (EXHIBIT B) Explains sections 5 and 6 are to be dropped from the bill. The budget now includes the director's salary.
110	Chair Duncan	Comments that the bill is supported. Need to work out the logistics of the bill.

115	Rep. Charles Ringo	District 6. Supports SB 635. Asks the committee's support.
148	Col. Bob Newton	Supports SB 635. Describes the plan to establish and maintain the museum.
180	Matt McDonald	Represents Salem Veterans' organizations. Opposes the bill. Has questions on the bill. Supports the museum. Does not want the National Guard to run the Oregon Veterans' Museum. Oregon Department of Veterans Affairs should run the museum.
237	Jon Mangis	Director of Oregon Veterans Affairs (ODVA). States the DVA displays some artifacts. Requests changes in SB 635.
253	Col. Caldwell	Military Department. Funding has always been the problem with the museum. Recommends legislation that asks for matched funds so that financing of the museum is viable. Supports SB 635 with private money.
314	Doug Tindall	Oregon Department of Transportation (ODOT). Discusses road-signing issue for the museum at Clackamas (EXHIBIT C).
325	Sen. Messerle	Comments that he was not aware of controversy on this bill.
350	Sen. Metsger	Comments that more people need to become involved to solve the funding problems since there is a great interest in the bill.
352	Sen. Clarno	Says the supporters seem to be enthusiastic.
355	Sen. Carter	Comments that she supports the bill. However, she believes that it needs to have some questions solved.
357	Chair Duncan	Gives supporters until Thursday to make SB 635 go.
388	Sen. Carter	Says they need to come back to this committee.
390	Chair Duncan	Closes public hearing on SB 635. Opens public hearing on SB 821.

SB 821 PUBLIC HEARING

395	Sen. Jason Atkinson	District 25. Explains SB 821. Explains the amendments. Describes selling license plates commemorating Crater Lake National Park. Says the -2 amendments allow a loan to ODOT for initiating a program (EXHIBIT D).
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TAPE 2A

063	Chair Duncan	Asks if this bill goes to Ways and Means.
064	Sen. Atkinson	Says he will support it all the way.
068	Janet Adkins	Committee Administrator. Explains that fiscal impact is being determined. The -1 amendments extend the program and eliminate the sunset date and reduce the fiscal impact (EXHIBIT E).
078	Sen. Atkinson	Emphasizes his support of the -2 amendments. Will go to Ways and Means if necessary.
092	Kelly Taylor	ODOT. Says there are seven specialty plate bills this session. Bringing them all together would bring the costs down. ODOT is not allowed to use highway funds for the specialty plates fundraisers.
093	Chair Duncan	Closes public hearing. Opens work session on SB 821.

SB 821 WORK SESSION

094	Sen. Metsger	MOTION: Moves to ADOPT SB 821-1 amendments dated 4/19/01.
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VOTE: 5-0

095	Chair Duncan	Hearing no objection, declares the motion CARRIED.
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096	Sen. Metsger	MOTION: Moves to ADOPT SB 821-2 amendments dated 4/26/01.
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VOTE: 5-0

097	Chair Duncan	Hearing no objection, declares the motion CARRIED.
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098	Sen. Metsger	MOTION: Moves SB 821 with a DO PASS AS AMENDED recommendation BE REFERRED to the committee on WAYS AND MEANS by prior reference.
		VOTE: 5-0
099	Chair Duncan	Hearing no objection, declares the motion CARRIED.
100	Chair Duncan	Closes work session. Opens public hearing on SB 889.
SB 889 PUBLIC HEARING		
102	Al Lightner	ODOT. This bill relates to the outdoor advertising control program. Gives authority to ODOT to develop fees by administrative rule (EXHIBIT F).
114	Terry Sandblast	Outdoor Advertising Association. Concern is increase in fees. Supports the cost of legal fees under HB 2145. Supports SB 889.
134	Sen. Messerle	Asks for clarification of the -1 amendments (EXHIBIT G).
136	Sen. Metsger	Answers that the -1 amendments added the word "only" to the recovery cost. It does not appear that the -1 amendment is necessary.
143	Chair Duncan	Closes public hearing. Opens work session on SB 889.
145	Sen. Metsger	MOTION: Moves SB 889 to the floor with a DO PASS recommendation.
		VOTE: 5-0
148	Chair Duncan	Hearing no objection, declares the motion CARRIED.
149		SEN. CARTER will lead discussion on the floor.
150	Chair Duncan	Closes work session. Opens public hearing on SB 740.
SB 740 PUBLIC HEARING		
159	Earl Fultz	Owner of log hauling business. Supports SB 740 with the -2. Explains that the bill results in too high fees for small truckers. Explains the -2 amendments (EXHIBIT H).
185	Chair Duncan	Asks Mr. Dal Ponte if he has seen the amendments.
186	Gregg Dal Ponte	ODOT. Answers he has not seen them.
194	Chair Duncan	Closes public hearing on SB 740. Asks the parties to study the proposed amendments and return later for the rest of their hearing. Opens public hearing on HB 2234.
HB 2234 PUBLIC HEARING		
203	John Dufrene	Department of Administrative Services. Explains the purpose of HB 2234 to raise the threshold amount on which a state agency must turn over an account to private collection (EXHIBIT K).
206	Matt Markee	Oregon Collectors Association. Supports HB 2234.
207	Chair Duncan	Closes public hearing. Opens Work Session on HB 2234.
HB 2234 WORK SESSION		
209	Sen. Metsger	MOTION: Moves HB 2234 to the floor with a DO PASS recommendation.
		VOTE: 5-0
210		Hearing no objection, declares the motion CARRIED.
211	Chair Duncan	SEN. METSGER will lead discussion on the floor.
218	Chair Duncan	Closes public hearing. Opens public hearing on HB 2354A.
HB 2354A PUBLIC HEARING		
315	John Dufrene	Controllers Division, DAS. Explains HB 2354A (EXHIBIT L).
324	Sen. Carter	Asks how the agency keeps from harassment and how customers are treated.
342	Dufrene	Explains federal statute and Oregon statute protect debtors. Discusses how some agencies monitor calls.

350	Chair Duncan	Says the message should get out that the legislature is concerned about treatment of debtors. Closes public hearing on HB 2354A. Opens work session on HB 2354A.
HB 2354A WORK SESSION		
355	Sen. Metsger	MOTION: Moves HB 2354A to the floor with a DO PASS recommendation.
352	Chair Duncan	VOTE: 5-0 Hearing no objection, declares the motion CARRIED. SEN. MESSERLE will lead discussion on the floor. Closes work session. Opens public hearing on HB 3066.
354	Chair Duncan	
HB 3066 PUBLIC HEARING		
357	Kelly Taylor	ODOT. Explains HB 3066. Explains the charge of \$5 for the motor vehicle code book (EXHIBIT M).
TAPE 1B		
HB 3066 WORK SESSION		
001	Chair Duncan	Closes public hearing. Opens work session on HB 3066.
005	Sen. Metsger	MOTION: Moves HB 3066 to the floor with a DO PASS recommendation.
011		VOTE: 5-0
012	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. DUNCAN will lead discussion on the floor. Closes work session. Opens public hearing on HB 2133A.
015	Chair Duncan	
HB 2133A PUBLIC HEARING		
020	Kelly Taylor	ODOT. Explains HB 2133A. There was no opposition on the House side. Allows title brands by rule to protect consumers. Explains hybrid brands (EXHIBIT N).
022	Chair Duncan	Closes public hearing. Opens work session on HB 2133A.
HB 2133A WORK SESSION		
025	Sen. Metsger	MOTION: Moves HB 2133A to the floor with a DO PASS recommendation.
		VOTE: 5-0
026	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. CARTER will lead discussion on the floor. Closes work session. Opens public hearing on HB 3364.
030	Chair Duncan	
HB 3364A PUBLIC HEARING		
050	Rep. Greg Smith	District 59. Introduces Ken Armstrong. Supports HB 3364A.
060	Ken Armstrong	Representing the Oregon Ports. Supports HB 3364A. Establishes the freight advisory committee in statute. Says the bill will help freight issues.
070	Everett Cutter	Manager, Oregon Railroad Association. Supports HB 3364A.
072	Matthew Garrett	ODOT. Supports HB 3364A (EXHIBIT O).
075	Chair Duncan	Closes public hearing. Opens work session on HB 3364A.
HB 3364A WORK SESSION		
080	Sen. Metsger	MOTION: Moves HB 3364A to the floor with a DO PASS recommendation.
		VOTE: 5-0
083	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. MESSERLE will lead discussion on the floor. Closes work session. Opens public hearing on SB 740.
085	Chair Duncan	
SB 740 PUBLIC HEARING		
100	Fultz	Small business owner. Cannot support large companies. Explains the cost is too great for small businesses to carry.
147	Adkins	Explains the tax owed to Washington by Mr. Fultz is less than

the fee he would have to pay to Oregon.
Explains his fuel tax bill was \$175 last year.

155 Fultz
165 Gregg Dal Ponte ODOT. Explains SB 740 requires ODOT to establish fees by rule to capture costs of operating the International Fuel Tax Agreement (IFTA) in Oregon (**EXHIBIT J**). The Department of Justice (DOJ) interprets how highway funds are used.

175 Bob Russell Oregon Trucking Association Supports SB 740. Explains the history of IFTA and the Attorney General's opinion affecting ODOT.

177 Fultz Discusses some alternative proposals.
180 DalPonte Describes the bill does not set the fee cost.
180 Chair Duncan Closes public hearing on SB 740. Opens work session

SB 740 WORK SESSION

200 Adkins Explains the amendments, -1 and -2 (**EXHIBIT I**). There is subsequent referral to the Revenue Committee.

201 Sen. Metsger MOTION: Moves to ADOPT SB 740-1 amendments dated 4/10/01.
VOTE: 5-0

203 Chair Duncan **Hearing no objection, declares the motion CARRIED.**
204 Sen. Metsger MOTION: Moves SB 740 with a DO PASS AS AMENDED recommendation BE REFERRED to the committee on Revenue.
VOTE: 5-0

206 Chair Duncan **Hearing no objection, declares the motion CARRIED.**
208 Chair Duncan Closes work session. Opens public hearing on HB 2262.

HB 2262 PUBLIC HEARING

260 Quintin Hess ODOT. Explains HB 2262. Enables native American tribes and ODOT to enter into agreements for collection and distribution of use fuel taxes. Estimates unpaid taxes on diesel fuel per month. Gives ODOT authority to collect (**EXHIBIT P**).

397 Michael Mason Federated Tribes of Warm Springs. Supports HB 2262 in the cooperative spirit.

TAPE 2B

010 Chair Duncan Closes public hearing. Opens work session on HB 2262.

HB 2262 WORK SESSION

012 Sen. METSGER MOTION: Moves HB 2262 to the floor with a DO PASS recommendation.
VOTE: 5-0

015 Chair Duncan **Hearing no objection, declares the motion CARRIED.**
SEN. METSGER will lead discussion on the floor.

018 Chair Duncan Closes work session. Opens public hearing on HB 2135.

HB 2135 PUBLIC HEARING

025 Kelly Taylor ODOT. Supports HB 2135. Allows tests conducted by outside parties to be accepted by ODOT. Changes duration of instruction permit from 18 months to 24 months. Closes loop hole on emergency driver permit (**EXHIBIT Q**).

048 Adkins Explains the -4 amendments (**EXHIBIT R**)
055 Chair Duncan Closes public hearing. Opens work session on HB 2135.

HB 2135 WORK SESSION

057 Sen. Metsger MOTION: Moves to ADOPT HB 2135-4 amendments dated 5/08/01.
VOTE: 5-0

059 Chair Duncan **Hearing no objection, declares the motion CARRIED.**

062	Sen. Metsger	MOTION: Moves HB 2135 to the floor with a DO PASS AS AMENDED recommendation.
060		VOTE: 5-0
062	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. CLARNO will lead discussion on the floor.
063	Chair Duncan	Closes work session. Opens public hearing on HB 2136.
HB 2136 PUBLIC HEARING		
070	Kelly Taylor	ODOT. Explains HB 2136. Removes annual renewal requirement for probationary permits. Explains how the bill removes requirement for filing proof of insurance for two different suspensions (EXHIBIT S).
124	Sen. Metsger	Asks if it would be less costly with a volume of program changes.
127	Taylor	Answers that the suspension related changes can be made at the same time, but driver related change and vehicle program changes would not be as cost saving.
130	Chair Duncan	Closes public hearing. Opens work session on HB 2136.
HB 2136 WORK SESSION		
131	Sen. Metsger	MOTION: Moves HB 2136 to the floor with a DO PASS recommendation.
		VOTE: 5-0
131	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. DUNCAN will lead discussion on the floor.
132	Chair Duncan	Closes work session. Opens public hearing on HB 2137.
HB 2137A PUBLIC HEARING		
133	Randy Hilderbrand	Staff for Sen. Clarno. Supports HB 2137A with the –4 amendments (EXHIBIT T).
135	Kelly Taylor	ODOT. Explains there are mainly technical changes in HB 2137A, one of which allows vehicle plates to be transferred (EXHIBIT U).
142	Adkins	Describes the A-6 amendments combine the A-4 and A-5 amendments. Describes the A-5 amendments.
153	Sen. Clarno	Asks about the –6 amendments.
154	Taylor	Explains the –6 amendments have the –4 amendments in them (EXHIBIT V).
155	Staff	Submits (EXHIBIT W).
156	Chair Duncan	Closes the public hearing. Opens work session on HB 2137A.
HB 2137A WORK SESSION		
157	Sen. Metsger	MOTION: Moves to ADOPT HB 2137A-6 amendments dated 5/8/01.
		VOTE: 5-0
158	Chair Duncan	Hearing no objection, declares the motion CARRIED.
159	Sen. Metsger	MOTION: Moves HB 2137A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0
160	Chair Duncan	Hearing no objection, declares the motion CARRIED. SEN. CLARNO will lead discussion on the floor.
161	Chair Duncan	Closes work session. Opens public hearing on HB 2138.
HB 2138 PUBLIC HEARING		
165	Bill Seely	ODOT. Explains HB 2138. Seeks a change in handling the public record laws pertaining to DMV records (EXHIBIT X).
186	Sen. Metsger	Asks how this will work during the transition period.
188	Seely	Answers there is an emergency clause with this bill. Everyone

199 Chair Duncan will be opted out at one time.
HB 2138 WORK SESSION Closes public hearing. Opens work session on HB 2138.
200 Sen. Metsger **MOTION: Moves HB 2138 to the floor with a DO PASS recommendation.**
VOTE: 5-0
201 Chair Duncan **Hearing no objection, declares the motion CARRIED.**
SEN. DUNCAN will lead discussion on the floor.
202 Chair Duncan Closes work session. Opens public hearing on HB 2141A.
HB 2141A PUBLIC HEARING
212 Steve Johnston ODOT. Explains HB 2141A. Gives ODOT authority to issue new citations. Explains the reasons brought forth by a motor carrier (**EXHIBIT Y**).
260 Rich Angstrom Explains the amendment. Supports HB 2141A with the –4 amendments.
274 Bob Russell Oregon Trucking Associations. Supports HB 2141A and the amendments.
275 Johnston ODOT supports the amendment.
279 Adkins Clarifies HB 2141A conflict and there will be a –4 amendment combining. Submits (**EXHIBIT Z**).
Chair Duncan Closes public hearing on HB 2141A. Opens public hearing on HB 2178A.
HB 2178A PUBLIC HEARING
TAPE 3A
008 Kelly Taylor ODOT. Explains HB 2178A (**EXHIBIT AA**).
020 Sen. Carter Asks the charge for trip permits.
023 Chair Duncan States HB 2178A will be held until Thursday to give Sen. Carter time to answer her questions. Closes public hearing on HB 2178A. Reopens work session on HB 2141A.
HB 2141A WORK SESSION.
030 Chair Duncan Asks if HB 2141A participants have had a chance to view the combined amendment.
032 Sen. Metsger **MOTION: Moves to ADOPT HB 2141A-2 amendments dated 5/3/01.**
VOTE: 5-0
033 Chair Duncan **Hearing no objection, declares the motion CARRIED.**
034 Sen. Metsger **MOTION: Moves to ADOPT HB 2141A-3 amendments dated 5/8/01.**
VOTE: 5-0
035 Chair Duncan **Hearing no objection, declares the motion CARRIED.**
037 Sen. Metsger **MOTION: Moves HB 2141A to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 5-0
040 Chair Duncan **Hearing no objection, declares the motion CARRIED.**
SEN. CARTER will lead discussion on the floor.
065 Chair Duncan Adjourns at 4:58 pm.

Submitted By,

Reviewed By,

Nancy Masee,

Janet Adkins,

EXHIBIT SUMMARY

- A – Committee Rules, Staff, 2 pp**
- B –SB 635, written testimony, R. Van Hoomissen, 16 pp**
- C –SB 635, written testimony, D. Tindall, 1 p**
- D –SB 821, -2 amendments, staff, 2pp**
- E –SB 821, -1 amendments, staff, 1 p**
- F –SB 889, written testimony, Al Lightner, 3 pp**
- G –SB 889, -1 amendments, staff, 1 p**
- H –SB 740, written testimony and –2 amendments, E. Fultz, 4pp**
- I --SB 740, -1 amendments, staff, 1 p**
- J –SB 740, written testimony, G. Dal Ponte, 7 pp**
- K –HB 2234, written testimony, John Dufrene, 1 p**
- L –HB 2354A, written testimony, John Dufrene, 2pp**
- M –HB 3066, written testimony, Kelly Taylor, 1 p**
- N –HB 2133A, written testimony, Kelly Taylor, 2 pp**
- O –HB 3364, written testimony, Matt Garrett, 1 p**
- P –HB 2262, written testimony, Mike Marsh, 2 pp**
- Q –HB 2135, written testimony, Kelly Taylor, 2 pp**
- R –HB 2135, -4 amendments, staff, 2 pp**
- S –HB 2136, written testimony, Kelly Taylor, 2 pp**
- T –HB 2137A, -4 amendments, staff, 2 pp**
- U –HB 2137A, -written testimony, Kelly Taylor, 2 pp**
- \V –HB 2137A, -6 amendments, staff, 3 pp**
- W –HB 2137A, written testimony, J. Green, 2 pp**
- X –HB 2138, written testimony, B. Seely, 1 p**
- Y –HB 2141A, written testimony, Steve Johnston, 3 pp**
- Z –HB 2141A, -2 and –3 amendments, staff, 6 pp**
- AA – HB 2178A, written testimony, Kelly Taylor, 2 pp**