

**PUBLIC HEARING SB 299**

**PUBLIC HEARING AND WORK SESSION SB 336**

**TAPES 030-031,A/B**

## **SENATE REVENUE COMMITTEE**

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**February 5, 2001 — 8:30 A.M. - HEARING ROOM A - STATE CAPITOL BUILDING**

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Members Present: Senator Ted Ferrioli, Chair

Senator Lee Beyer, Vice Chair

Senator Susan Castillo

Senator Tony Corcoran

Senator Gary George

Senator John Minnis

Senator Charles Starr

Staff: Paul Warner, Legislative Revenue Officer

Ed Waters, Economist, Legislative Revenue Office

Richard Yates, Economist, Legislative Revenue Office

Carol Phillips, Committee Assistant

Witnesses: Steve Johnston, Manager, Field Motor  
Carrier Services, ODOT

Curt Curtis, Oregon State Police

Debra Buchanan, Department of Revenue

**TAPE 030, SIDE A**

005 Chair Ferrioli Meeting called to order 8:36 a.m.

010 Paul Warner Stated there were three bills for committee introduction, and that SB 299 and SB 336 were up for public hearing and possible work session.

020 Warner Explained that LC 183 is a senior property tax relief bill. It was introduced by Sen. Yih and allows seniors to work at minimum wage in lieu of paying property taxes for school districts

029 Sen. L. Beyer Introduced LC 1767 and LC 1767-1. LC 1767 relates to issuing general obligation bonds to finance seismic rehabilitation of schools. LC 1767-1 relates to issuing general obligation bonds to finance seismic rehabilitation of emergency services facilities.

OPENED WORK SESSION ON LC DRAFT 183, LC DRAFT 1767, AND LC DRAFT 1767-1

041 Sen. L. Beyer MOTION:

MOVES LC DRAFT 183, LC DRAFT 1767,  
AND LC DRAFT 1767-1 BE INTRODUCED  
AS COMMITTEE BILLS.

046 Chair Ferrioli ORDER:

HEARING NO OBJECTION, MOTION  
CARRIES; AND LC DRAFT 183, LC DRAFT  
1767, AND LC DRAFT 1767-1 WILL BE  
INTRODUCED AS COMMITTEE BILLS.

CLOSED WORK SESSION ON LC DRAFT 183, LC DRAFT 1767, AND LC DRAFT 1767-1

OPENED PUBLIC HEARING ON SB 299

057 Richard Yates Stated that SB 299 amends ORS 810.530 that deals with other enforcement officials. It lists a number of cases in which Weighmasters or Motor Carrier Enforcement Officers can act as police officers in making arrests and issuing citations regarding commercial vehicles, not private automobiles. Violations covered by this bill would apply to commercial motor vehicles and include operating without a license or

permit, operating with an expired license or permit, operating a vehicle without required traction devices, and operating a vehicle for which the appropriate registration fees have not been paid.

Questions and answers followed.

111 Steve Johnston Discussed Exhibit 7, written testimony. Stated that SB 299 gives Motor Carrier Enforcement Officers authority to issue citations that in the past they have not been able to issue. The bill gives officers authority to issue citations for:

1. Operating a commercial vehicle without a commercial driver license.
2. Operating a commercial vehicle with a suspended or revoked commercial driver license.
3. Failing to use traction tires or chains when required.
4. Failing to pay appropriate truck registration fees.

Questions and answers followed.

191 Curt Curtis Discussed Exhibit 8, written testimony. The Oregon State Police do not oppose SB 299. They are concerned about the fact that currently Weighmasters and Motor Carrier Enforcement Officers have arrest authority, which means being in physical custody situations. The OSP is concerned with that because Weighmasters and Motor Carrier Enforcement Officers are not armed and many times not trained or equipped to handle arrest situations. In some instances there are no police officers in the area to assist them.

Questions and answers followed.

241 Sen. George Asked if it would be reasonable, if Weighmasters and Motor Carrier Enforcement Officers were given arrest authority, for them to expect the same level of compensation as is

provided to police officers. There is a bill to expand their benefit package to resemble that of a police officer, which is beyond what would be a normal Weighmaster benefit package.

253 Curtis Said he was unaware of the bill Sen. George was referring to, unless it was the possibility of including Motor Carrier Enforcement Officers in the Police and Fire Retirement Fund. Said in terms of the actual work performed by Weighmasters and Motor Carrier Enforcement Officers, it would not change at all.

Questions and answers followed.

309 Chair Ferrioli Stated that the indicated revenue impact of around \$57,000 would not begin to cover the potential wrongful arrest liability. Concluded by consensus that a (-1) amendment is needed for this bill.

Comments, and further questions and answers interspersed.

441 Sen. George Related his experience in a truck cab observing a Washington County deputy pull the truck over. The truck was plainly marked as not in service and was heading for Mack truck repairs in Portland. He also described a current situation in California. Because of their Weighmasters' expanded authority and activity, several weigh stations have been dynamited off their foundations or actually smashed by trucks driving into them. That is probably not the type of activity we would want to occur in Oregon. Because of that, California is backing down on their Weighmaster arrest authority. They simply call a Highway Patrol unit to issue citations or make arrests as necessary.

CLOSED PUBLIC HEARING ON SB 299

**TAPE 031, SIDE A**

028 Ed Waters Gave a brief overview of what the bill does.

(See itemized list below for details.)

OPENED PUBLIC HEARING ON SB 336

046 Debra Buchanan Said that the bill does three things:

1. Increases the Multistate Tax Commission reserve fund from \$100,000 to \$150,000.
2. Allows the state to enter into agreements for collection of state debt by offsetting federal tax refunds and to pay fees charged by the federal government for completed offsets.
3. Modifies the requirements for corporations to make payment of estimated tax and withholding deposits using electronic funds transfer.

Questions and answers interspersed.

CLOSED PUBLIC HEARING ON SB 336

OPENED WORK SESSION ON SB 336

119 L. Beyer MOTION:

MOVES SB 336 TO THE SENATE FLOOR  
WITH DO PASS RECOMMENDATION.

123 Chair Ferrioli ORDER:

HEARING NO OBJECTION, MOTION  
PASSESS: 7 — 0 — 0

Sen. Ferrioli will carry the bill on the Senate  
Floor.

140 Chair Ferrioli Adjourned meeting at 9:14 a.m.

Submitted by, Reviewed by,

Carol Phillips Kim Taylor James

Committee Assistant Revenue Office Manager

Exhibit Summary:

1. LC 183, Warner, (DJ/ps) 1/25/01, 12 pp.
2. LC 1767, Warner, (BHC/ps) 2/2/01, 2 pp.
3. LC 1767-1, Warner, (BHC/ps) 2/2/01, 2 pp.
4. SB 299, Yates, Staff Measure Summary, 1 pp.
5. SB 299, Yates, Fiscal Impact Statement, 1 pp.
6. SB 299, Yates, Revenue Impact Statement, 1 pp.
7. SB 299, Johnston, written testimony, 2 pp.
8. SB 299, Curtis, written testimony, 3 pp.
9. SB 336, Waters, Staff Measure Summary, 1 pp.
10. SB 336, Waters, Fiscal Impact Statement, 1 pp.
11. SB 336, Buchanan, written testimony, 2 pp.