

HOUSE COMMITTEE ON TRANSPORTATION

March 03, 1999 Hearing Room D

8:30 a.m. Tapes 35 - 36

MEMBERS PRESENT: Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Richard Devlin

Rep. Jim Hill

Rep. Jeff Kropf

Rep. Jerry Krummel

Rep. Jane Lokan

Rep. Jackie Taylor

Rep. Vicki Walker

Rep. Larry Wells

STAFF PRESENT: Janet Adkins, Administrator

Brad Daniels, Administrative Support

MEASURE/ISSUES HEARD: HB 2692 Public Hearing

HB 2472 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 35, A		

004	Chair Montgomery	Opens the meeting at 8:34 a.m. Opens the public hearing on HB 2692.
<u>HB 2692 PUBLIC HEARING</u>		
008	Adkins	Explains HB 2692, which directs the Oregon Department of Transportation to initiate a feasibility study of an I-82 extension from north-south across eastern Oregon.
025	Rep. Krummel	District 27. Testifies in support of HB 2692. Discusses his experience with travelling in eastern Oregon and eastern Washington. Describes the bill's intent. Stresses the connection between improved transportation and economic development. Notes the benefit to travelers. Explains the various options for the extended freeway: <ol style="list-style-type: none"> 1. Prineville option 2. Madras option 3. 395 corridor south option.
087	Rep. Krummel	Indicates that HB 2692 calls for ODOT to study the various options. Expresses uncertainty about the cost of the proposed project, but stresses the importance of looking toward the future. Addresses Rep. Wells' question about the possible routes and Rep. Hillis question about interstate numbering.
119	Rep. Kropf	Supports HB 2692. Asks if Rep. Krummel considered a connection between the proposed extension and a Mt. Hood or Salem freeway.
128	Rep. Krummel	Answers yes. Acknowledges the possibilities for these connections. Notes that the primary travel corridor of Oregon is in the north-south direction.
147	Rep. Kropf	Asks if Rep. Krummel would consider making the new interstate extension a toll road.
155	Rep. Krummel	Replies that he would be open to that option. Emphasizes the importance of looking toward the future.
160	Rep. Wells	Indicates that, though Oregon is between two populous states, I-5 is the state's only north-south freeway. Notes that coastal communities also want better roads from the coast to I-5. Asks how the Legislature can prioritize HB 2692's proposal over others.
190	Rep. Krummel	Acknowledges the difficulties. Reiterates the importance of looking to the future.
210	Rep. Devlin	Asks about the use of "highway" in the bill. Asks if Rep. Krummel is talking about improving existing roadways.
226	Rep. Krummel	Replies that he is thinking of an interstate highway rather than improving

		existing highways. Concedes that a project of this scale will not be built in 10 years.
247	Rep. Devlin	Asks if Rep. Krummel is referring to a limited access facility.
250	Rep. Krummel	Replies yes.
255	Rep. Lehman	Asks if freeways are built to service population centers or if they are built to create population centers.
259	Rep. Krummel	Replies that both statements would apply. Points to I-5 as an example of the connection between freeways, population and development.
279	Rep. Mark Simmons	District 58. Questions the logic of past land-use decisions in Oregon. Supports HB 2692 as prompting a discussion of Oregon's future.
314	Rep. Lehman	Asks if the feasibility study will analyze the amount of growth that will be generated by the proposed interstate. Asks how the project can be balanced with existing economic concerns such as those in his own district.
339	Rep. Simmons	Concedes that there are economic trade-offs, but stresses the importance of a global plan for development.
350	Doug Tindall	Maintenance Engineer, ODOT. Supports efforts to plan for future transportation needs. Explains that interstates were originally built for a national defense system. Notes that the expansion of the interstate system will require federal approval and an adjustment to the designated highways of national significance. Discusses two options for studying the possible environmental and local impacts of the proposed routes (EXHIBIT A).
420	Tindall	Notes that simply raising this issue may allow it to be considered in Statewide Transportation Improvement Plan (STIP) discussions.
TAPE 36, A		
018	Rep. Kropf	Asks Tindall to explain the possible advantages of excluding the federal government and making the proposed interstate a toll way.
025	Tindall	Expresses uncertainty. States that the proposed project may cost a billion dollars.
034	Rep. Kropf	Asks if making the interstate a toll way would expedite the construction of the project.

038	Tindall	Replies yes.
040	Rep. Lehman	Asks Tindall for a rough idea of the cost.
043	Tindall	Replies that it would be about a billion dollars.
053	Rep. Lokan	Asks Tindall to describe a "corridor study."
063	Tindall	Replies that it would analyze demand, location and environmental factors. Adds that the corridor study may depend on which corridor is chosen
076	Rep. Lokan	Asks if local municipalities are included.
079	Tindall	Replies yes.
089	Chair Montgomery	Closes the public hearing on HB 2692. Opens the public hearing on HB 2472.
<u>HB 2472 PUBLIC HEARING</u>		
095	Adkins	Explains HB 2472, which would make carrying an untethered, uncaged animal in the back of a pick-up illegal.
115	Rep. Barbara Ross	District 35. Explains HB 2472, the exceptions for ranching and farming dogs, and the purpose of the bill. Introduces and explains the intent of ñ1 amendments (EXHIBIT B).
155	Rep. Ross	Introduces a series of letters from citizens in support of the bill (EXHIBITS C, D & E).
165	Tom Griffin	Dog trainer. Supports HB 2472. Relates his experience with dogs that have been thrown from pick-ups. Explains the benefits of cross tethering. Mentions the similarity between laws requiring loads to be secure and the proposed bill (EXHIBIT F).
207	Rep. Lehman	Supports HB 2472. Expresses offense at the comparison between the recent, racially motivated dragging death in Texas and the accidents involving dogs (EXHIBIT F).
212	Rep. Taylor	Asks Griffin to describe cross tethering.
215	Griffin	Explains the concept of cross tethering.

239	Rep. Simmons	Opposes HB 2472. Indicates that the safety of dogs is the responsibility of their owners. Opposes the bill as an unnecessary intrusion into people's lives and an excessive burden to law enforcement.
270	Rep. Walker	Asks about the laws restricting children riding in the back of the truck.
278	Rep. Simmons	States his belief that children who do not have a chair and seatbelt are illegally travelling in the back of a pick-up.
281	Rep. Walker	Asks if he values a dog's life differently than a child's life.
288	Rep. Simmons	Replies that he does value children more than dogs, though he does care for his animals.
296	Rep. Kurt Schrader	District 23. Supports HB 2472. Reviews his personal experience with animals falling out of trucks. Acknowledges the change in how people view their pets, which are now more domestic, rather than working, animals.
330	Rep. Lokan	Asks if Schrader would exempt farming dogs from the bill.
337	Rep. Schrader	Replies that he is more concerned about urban areas.
342	Rep. Lokan	Asks if ranch dogs are also transported on highways.
347	Rep. Schrader	Replies that they are, and, if so, these dogs should be tethered or caged
350	Rep. Kropf	Asks for some idea of the seriousness of the problem.
355	Rep. Schrader	Replies that no statistical data is available.
362	Rep. Kropf	Asks if he knows how many dogs ride unsecured in the back of vehicles.
364	Rep. Schrader	Expresses uncertainty. Expresses concern about improper tethering.
370	Rep. Kropf	Asks if there are problems with dogs running loose and/or dogs loose inside vehicles.
375	Rep. Schrader	Replies yes to the first situation and no to the second.
400	Rep. Hill	Cites the 11 amendments. Asks if it would be more appropriate to address the issue locally.

413	Rep. Schrader	Replies that a state-enabling statute may be needed to avoid jurisdictional conflicts.
422	Dr. Robert Murtaugh	Director of Critical Care, Dove Lewis Emergency Animal Hospital. Supports HB 2472. Notes that similar legislation was passed in Massachusetts in 1998.
TAPE 35, B		
019	Murtaugh	Provides statistics about the number of dogs injured as a result of falling from trucks (EXHIBIT G). Relates his personal experience with animals falling from the back of trucks.
059	Sharon Harmon	Oregon Humane Society. Supports HB 2472 as a common-sense correction of an existing law. Notes that dogs are domestic animals and need stewardship (EXHIBIT H).
082	Rep. Hill	Asks what other states have enacted similar legislation.
084	Harmon	Replies that she knows of at least one, California.
088	Rep. Hill	Asks if the law could be effectively enacted at the local level.
095	Harmon	Emphasizes the need for an overriding statute. Refers to the possible problem with travelling from one jurisdiction to another.
106	Rep. Wells	Underlines the problem with enforcement. Asks how the bill would be enforced.
114	Harmon	Concedes that there will be difficulty in enforcement.
119	Rep. Devlin	Asks Harmon how long she has been with the Humane Society.
120	Harmon	Answers that she has been with the Humane Society for nine years and involved in animal welfare for 19 years.
124	Rep. Devlin	Supports HB 2472.
128	Rep. Lokan	Asks if the California law exempts farm animals.
132	Harmon	Replies yes.
138	Glenn Kolb	Executive Director, Oregon Veterinary Medical Association. Supports HB

		2472. Relates his experience with animals falling out of trucks (EXHIBIT I).
159	Helen Westbrook	Legislative aide to Rep. Taylor. Supports HB 2472. Reads a letter of testimony in support of HB 2472 from Annie Oliver (EXHIBIT J).
181	Rep. Taylor	Describes Westbrook's activism for animal care and the efforts in her district to allow juvenile offenders to care for animals. Notes the similarity between HB 2472 and the helmet law.
207	Robert Babcock	Lawyer, Citizens for Humane Animal Legislation. Supports HB 2472. Addresses the legal status of dogs riding in the back of trucks, noting that they are considered "at large" for liability purposes (EXHIBIT K).
227	Rep. Wells	Asks what Babcock means by "at large."
230	Babcock	Explains that a dog in the back of a truck is legally "at large."
244	Andrea Dumas (with dog)	Dove Lewis Emergency Animal Hospital. Supports HB 2472. Explains the dog's injuries as a result of falling out of a truck and its history of treatment. Relates that similar laws exist in Massachusetts, California, Rhode Island, and New Hampshire.
289	Steve Miller	Citizen of Portland. Supports HB 2472. Relates his experience with dogs on the side of roads. Discusses the risk created by untethered dogs and the cost of tethering devices (EXHIBIT L).
355	Don Schellenberg	Associated Director, Oregon Farm Bureau. Supports the exemptions in HB 2472 for agricultural workers. Explains the importance of dogs to farmers.
400	Schellenberg	Refers to line 3 of the ñ1 amendments and suggests a change from "5,000" to "50,000." Explains the reason for this suggestion. Refers to line 4 of the ñ1 amendments. Suggests eliminating "The owner of the dog is operating" and replacing it with less specific language.
TAPE 36, B		
014	Schellenberg	Refers to the final line of the ñ1 amendments and suggests different language.
017	Rep. Wells	Asks if a farmer's pick-up looks different than other pick-ups. Asks how the law would be enforced.
022	Schellenberg	Expresses uncertainty.
032	Rep. Lokan	Asks about the necessity of exempting farm dogs.

041	Schellenberg	Replies that it is impractical to require farmers to tether dogs because they make numerous short trips.
049	Rep. Devlin	Asks if Schellenberg is testifying on behalf of the Oregon Farm Bureau.
056	Schellenberg	Replies yes.
058	Rep. Devlin	Asks if the 50,000 figure is negotiable.
063	Schellenberg	Answers yes.
065	Rep. Krummel	Cites ORS 811.200. Asks if HB 2472 addresses an existing enforcement problem.
078	Rep. Taylor	Refers to the severe injuries that were cited in earlier testimony. Opposes the exemption for farmers. Asks about the reference to the legal definition of "at large." Expresses hope that the size of the road, rather than the population of a city, would be the determining factor.
103	Schellenberg	Replies that the current bill does address interstate travel. Indicates that his group can support the bill with the appropriate amendments.
116	Rep. Kropf	Asks if HB 2472 represents an imposition of the urban point of view on the rural way of life.
132	Schellenberg	Replies that he would be reluctant to characterize it that way.
139	Rep. Lehman	Asks if farmers are bound by the same laws as other citizens when carrying loads on public highways.
146	Schellenberg	Replies that he is unsure, but expresses his sense that there is not a difference.
153	Rep. Lehman	Asks if farmers are required to wear seat belts.
156	Schellenberg	Replies yes.
158	Rep. Lehman	Asks if his objection to the bill rests on the impracticality of tying dogs down for multiple short trips.
160	Schellenberg	Replies yes.
163	Rep. Lehman	Asks Schellenberg to explain the distinction between tying down a load and

		tying down a dog.
164	Schellenberg	Responds that the difference is in the number of times one will tie down a load (at the beginning and end of a single trip) versus the number of times a dog will travel in the truck (many).
170	Rep. Lehman	Asks Schellenberg to distinguish between putting on a seatbelt and tying down a dog.
172	Schellenberg	Replies that the seatbelt is closer and more convenient.
179	Chair Montgomery	Closes the public hearing on HB 2472. Adjourns the meeting at 10:09 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñHB 2692, written testimony, Doug Tindall, 1 p.

B ñHB 2472, -1 amendments, staff, 1 p.

C ñHB 2472, letter, Kimberley Priestley, 1 p.

D ñHB 2472, letter, Paige Powell, 2 pp.

E ñHB 2472, letter, John Adair, 1 p.

F ñHB 2472, written testimony, Tom Griffin, 1 p.

G ñHB 2472, written testimony, Dr. Robert Murtaugh, 2 pp.

H ñHB 2472, written testimony, Sharon Harmon, 1 p.

I ñHB 2472, written testimony, Glenn Kolb, 1 p.

J ñHB 2472, letter, Annie Oliver, 1 p.

K ñHB 2472, written testimony, Robert Babcock, 2 pp.

L ñHB 2472, written testimony, Steve Miller, 1 p.