

HOUSE COMMITTEE ON TRANSPORTATION

April 23, 1999 Hearing Room D

8:00 a.m. Tapes 80 - 81

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 3465 Public Hearing and Work Session HB 2841 Public Hearing and Work Session HJR 59 Public Hearing and 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 80, A		
004	Chair Montgomery	Opens the meeting at 8:05 a.m. Opens the public hearing on HB 2527.

HB 2527 PUBLIC HEARING

025	Adkins	Explains HB 2527.
027	Chair Montgomery	Closes the public hearing on HB 2527. Opens the public hearing on HB 3508.

HB 3508 PUBLIC HEARING

028	Adkins	Explains HB 3508.
031	Chair Montgomery	Closes the public hearing on HB 3508. Opens the public hearing on HB 3303.

HB 3303 PUBLIC HEARING

032	Adkins	Explains HB 3303.
033	Chair Montgomery	Closes the public hearing on HB 3303. Opens the public hearing on HB 3418.

HB 3418 PUBLIC HEARING

038	Adkins	Explains HB 3418.
040	Chair Montgomery	Closes the public hearing on HB 3418. Opens the public hearing on HB 3465.

HB 3465 PUBLIC HEARING

058	Adkins	Explains HB 3465, which would allow the Oregon Department of Transportation (ODOT) and any county to establish intergovernmental road maintenance entities. Introduces the ñ2 amendments (EXHIBIT A).
083	Rep. Judy Uherbelau	District 52. Discusses the ñ2 amendments and the need for an interim task force to study the issue further.
097	Rep. Rob Patridge	District 50. Reviews the reason for introducing the bill and the benefits of intergovernmental partnership in Jackson County. Notes that a feasibility study reviewed the merger option.
127	Rep. Lokan	Supports the idea. Expresses hope that it would be expanded to a statewide project.
135	Rep. Uherbelau	Agrees with Rep. Lokan. Describes the function of the task force and the goal

		of looking at the issue on a statewide scale.
148	Rep. Hill	Expresses concern about funding. Supports efficiency as long as it does not create a funding imbalance among areas.
163	Rep. Patridge	Responds that the intent is to improve efficiency in one area, not take money from other areas.
170	Bill Penhollow	Association of Oregon Counties. Supports HB 3465 and the ñ2 amendments. Notes that other counties are exploring additional partnering opportunities with ODOT.
229	Joe Strahl	Public Works Director, Jackson County. Relates the history of the partnership between Jackson County and ODOT, which was based on the premise that citizens want all roads repaired in a safe and economical fashion. Reviews the achievements accomplished under the partnership arrangement, including sharing equipment, signs and crews (EXHIBIT B).
286	Strahl	Continues explaining the benefits of the partnership between ODOT and Jackson County. Discusses the possibility of merging into a unified road maintenance organization.
355	Strahl	Underlines the benefits of a merger over a partnership. Addresses the decision-making process and the need of legislative direction to pursue intergovernmental agreements or mergers. Supports the ñ2 amendments.
400	Tim Josi	County Commissioner, Jackson County. Relates his experience as a legislator in 1996 with the interim Transportation Committee.
TAPE 81, A		
010	Josi	Expresses concern about the condition of roads in Tillamook County. Supports HB 3465. Describes the efficiency measures that they are studying, including a merger with ODOT. Underlines the interest in intergovernmental agreements in Tillamook County. Supports the ñ2 amendments.
058	Doug Tindall	Maintenance Engineer, ODOT. States that informal intergovernmental agreements have existed for a long time. Supports HB 3465 and the concept of an interim committee. Notes that the intention is not to draw funding from other areas in the state. Adds that ODOT is willing to enter into a partnership anywhere in the state. Stresses that HB 3465 represents a revolutionary change in government that will save taxpayer money (EXHIBIT C).
107	Rep. Lokan	Asks what the biggest problem is in getting the program started.
112	Tindall	Replies that there are two problem areas: 1) administrative procedures and processes within ODOT is financial and legal staff 2) employee willingness.

148	Rep. Lokan	Asks Strahl how much has been saved as a result of partnership.
152	Strahl	States that they know that they are saving money, but do not know the actual amount.
172	Rich Pepper	Oregon Public Employees Union. States that road workers do believe in efficiencies, but are not as convinced about the total benefits of these arrangements. Supports the ñ2 amendments.
195	Chair Montgomery	Closes the public hearing on HB 3465. Opens the work session on HB 3465.
<u>HB 3465 WORK SESSION</u>		
199	Rep. Wells	Asks if the language of the bill will be included in the statutes.
205	Adkins	Replies that the bill may or may not be codified in statute.
220	Rep. Wells	Asks about the cost of the task force and if non-legislators' expenses would be covered.
225	Adkins	Replies that the staffing is provided by the legislature.
230	Rep. Lehman	Replies that the origin of the money is a question for the Senate.
236	Rep. Lehman	MOTION: Moves to ADOPT HB 3465-2 amendments dated 04/22/99.
238	Rep. Hill	Asks if the bill should go to Ways and Means.
242	Rep. Wells	Asks if fiscal statements are required to vote on a bill.
256	Adkins	Replies that the provision mandating fiscal statements is in the committee rules and requires a two-thirds vote to suspend the rules.
260	Rep. Wells	Expresses concern about whether fiscal statements are required or not.
265	Chair Montgomery	Closes the work session on HB 3465. Opens the public hearing on HB 2841.
<u>HB 2841 PUBLIC HEARING</u>		
275	Adkins	Explains HB 2841, which would change the population and time requirements

		for affected areas that want to withdraw from mass transit districts.
305	Rep. Schrader	District 23. Describes the discussions that have surrounded the bill. Explains the ñ1 amendments and their intention to allow only Canby and Troutdale to withdraw (EXHIBIT D).
359	Rep. Schrader	States that the bill will allow his community to give better transportation service. Acknowledges that Tri-Met has struggled to give reliable, inexpensive service to communities on the periphery.
394	Rep. Krummel	Asks about the timing of the operative and sunset clauses.
TAPE 80, B		
005	Rep. Schrader	Explains the timing of the sunset and operative clauses.
016	Rep. Lokan	Asks how the services will be funded.
021	Rep. Schrader	Replies that businesses would still pay a payroll tax.
024	Rep. Hill	Expresses skepticism about the bill concerning towns in his district.
033	Sen. Rick Metsger	Supports HB 2841, noting that cities would still have to meet Tri-Met's requirements.
048	Scott Taylor	Mayor, Canby. Cites the purpose of the bill: to explore options for better transportation service on the periphery of the metropolitan area. Stresses the goal of increasing and improving bus service.
076	Walter Daniels	City Councilor, Canby. Acknowledges the reasons for breaking away from Tri-Met and Canby's current transportation needs. Describes the services that will be available through expanded service and the goal of cutting down the amount of cars on the road. Supports HB 2841.
119	Dick Feeney	Executive Director of Government Affairs, Tri-Met. Expresses no objection to the bill. Supports the ñ1 amendments (EXHIBIT E).
130	Rep. Wells	Refers to line 11 of the ñ1 amendments and asks about the population requirement.
137	Feeney	Replies that the ñ1 amendments restore the existing statute after allowing a window of two years during which a community between 10,000 and 15,000 can initiate a withdrawal from the transit district.

158	Rep. Devlin	Asks if either community would still be required to pay the bonds for Westside Light Rail if they withdrew from the mass transit district.
163	Feeney	Replies that they may be liable for the bonds, but not for the payroll tax.
166	Rep. Devlin	Asks about federal funding for people outside of transit districts.
175	Feeney	Replies that moderate size districts are eligible to receive federal funds.
185	Rep. Devlin	Asks if Tri-Met is looking at contracting some service to outlying areas in order to improve their metropolitan service.
191	Feeney	Replies that those discussions have taken place in the past.
195	Chair Montgomery	Closes the public hearing on HB 2841. Opens the work session on HB 2841.
<u>HB 2841 WORK SESSION</u>		
200	Rep. Hill	MOTION: Moves to ADOPT HB 2841-1 amendments dated 04/22/99.
		VOTE: 9-0 EXCUSED: 1 - Lehman
		Chair Montgomery
		Hearing no objection, declares the motion CARRIED.
204	Rep. Hill	MOTION: Moves HB 2841 to the floor with a DO PASS AS AMENDED recommendation.
206	Rep. Krummel	Relates the positive experience in Wilsonville after they withdrew from Tri-Met.
220	Adkins	Notes, in response to Rep. Hillis concern, that Forest Grove would not be eligible and Cornelius is currently under the required population.
227	Rep. Devlin	Notes that Sherwood may also be eligible for withdrawal if HB 2841 passes.
235		VOTE: 9-0

		<p>AYE: 9 - Devlin, Hill, Kropf, Krummel, Lokan, Taylor, Walker, Wells, Montgomery</p> <p>EXCUSED: 1 - Lehman</p>
	Chair Montgomery	<p>The motion CARRIES.</p> <p>SCHRADER will lead discussion on the floor.</p>
246	Chair Montgomery	Closes the work session on HB 2841. Opens the public hearing on HJR 59.
<u>HJR 59 PUBLIC HEARING</u>		
256	Adkins	Explains HJR 59, which proposes a constitutional amendment concerning funding for state police coming from the highway fund. Relates the history of state parks and state police's removal from the highway fund.
275	Rep. Juley Gianella	District 38. Supports HJR 59. Underscores the need for additional resources for state police.
302	Rep. Kropf	District 37. Testifies in support of HJR 59. Relates that state police are being asked to go well beyond the call of duty. Notes the negative effects of the overtime hours that they are asked to work.
346	Rep. Hill	Asks if the bill repeats the language that previously existed in the constitution. Expresses concern about the wording, limitation on where the dollars are able to be spent, and possible constitutional problems. Suggests more general wording.
390	Rep. Devlin	Asks if both representatives would be willing to support tax or fee increases to pay for additional troopers.
402	Rep. Gianella	Stresses the importance of providing resources for state troopers.
418	Rep. Krummel	Asks if HJR 59 calls for additional funding from the highway fund or if it calls for the highway fund to replace general fund dollars as the source of state police funding.
422	Rep. Gianella	Replies that they see it as another source of funds.

426	Rep. Krummel	Notes the debate over Measure 66. Emphasizes that the intent needs to be clear whether the funds will be solely from highway fund dollars or are to be added to general fund dollars.
TAPE 81, B		
015	Rep. Hill	Suggests another phrase to eliminate the constitutional concerns expressed earlier. Suggests that the specific percentage should be eliminated to provide further flexibility.
045	Rep. Gianella	Explains that the reason for the existing language is sensitivity to jurisdictional issues.
051	Rep. Hill	Replies that his concern is related to the percentage point and giving troopers the flexibility do other things besides patrolling state highways.
063	Rep. Gianella	Reiterates the presence of competition between law enforcement agencies.
073	Ron Anderson	Vice President, Oregon State Police Officers Association. Supports HJR 59. Acknowledges the decreasing funding for state troopers. Refers to the importance of more troopers as a deterrent to reckless driving. Notes that 416 troopers are needed.
117	Glen Rader	Help Our Troopers. Supports HJR 59. Describes the bill, its effects and the goal of increasing enforcement. Stresses the increased danger to troopers. States that it is appropriate to use highway fund dollars for enforcement in light of the funding history.
166	Greg Willeford	OSP Patrol Division. Supports the resolution. Notes that the general fund percentage going to OSP is at the lowest since it was removed from the highway fund. Emphasizes that the current level of staffing is unacceptable.
198	Rep. Wells	Asks what the current funding amount is for OSP.
202	Willeford	Replies that it is \$166 million per biennium with \$67 million going toward the patrol division.
205	Rep. Wells	Asks if HJR 59 would replace the \$67 million.
207	Willeford	Replies that the money would fill a resource gap of 316 additional positions.
220	Rep. Wells	Asks what the fiscal impact would be on the highway fund.
222	Willeford	Replies that the 316 positions represent about \$52 million.

231	Chair Montgomery	Asks what language was included in the original constitution.
232	Rader	Replies that the original constitution included the phrase "policing of the highways." Supports removing the percentage quantification. Suggests alternative wording for the resolution.
268	Chair Montgomery	States his preference to conceptually amend the bill and send it to the Revenue committee.
273	Rep. Hill	Suggests an amendment to the bill.
282	Chair Montgomery	Closes the public hearing on HJR 59. Opens the work session on HJR 59.
<u>HJR 59 WORK SESSION</u>		
283	Rep. Hill	MOTION: Moves to AMEND HJR 59 on line 22 to read: "roads, streets, roadside areas and protection of the people of the state of Oregon."
300	Rep. Krummel	Stresses that his intent is that highway funding would be added to the existing money from the general fund.
305	Chair Montgomery	States that the committee has the same intent.
314	Rep. Wells	Expresses concern about removing the percentage.
323	Rep. Hill	Replies that it will be best left open for future legislators.
338	Adkins	Repeats the conceptual amendment.
348		VOTE: 10-0
	Chair Montgomery	Hearing no objection, declares the motion CARRIED.
350	Rep. Hill	MOTION: Moves HJR 59 to the floor with a BE ADOPTED AS AMENDED recommendation and BE REFERRED to the committee on Revenue.
		VOTE: 10-0

		AYE: In a roll call vote, all members present vote Aye.
	Chair Montgomery	The motion CARRIES.
360	Chair Montgomery	Adjourns the meeting at 9:50 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñHB 3465, -2 amendments, staff, 5 pp.

B ñHB 3465, written testimony, Joe Strahl, 3 pp.

C ñHB 3465, written testimony, Doug Tindall, 1 p.

D ñHB 2841, -1 amendments, staff, 1 p.

E ñHB 2841, written testimony, Dick Feeney, 2 pp.

F ñHJR 59, written testimony, Ron Anderson, 2 pp.

G ñHJR 59, written testimony, Glen Rader, 2 pp.

H ñHJR 59, written testimony, Greg Willeford, 5 pp.