

**HOUSE COMMITTEE ON TRANSPORTATION**

**May 16, 1997 Hearing Room D**

**8:30 AM Tapes 110 - 111**

**MEMBERS PRESENT:**

**Rep. Bob Montgomery, Chair**

**Rep. Mike Lehman, Vice-Chair**

**Rep. Tim Josi**

**Rep. Jane Lokan**

**Rep. Bill Markham**

**Rep. Larry Wells**

**MEMBER EXCUSED:**

**Rep. Lonnie Roberts**

**STAFF PRESENT:**

**Janet Adkins, Policy Analyst**

**Erik Deitz, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 3715 Reconsideration and Work Session**

**SB 651 Work Session**

**HB 3128 Work Session**

**SB 488 Public Hearing and Work Session**

**SB 925 Public Hearing**

**SB 714 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
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<b>Tape 110, A</b>		
005	Chair Montgomery	Calls meeting to order at 8:37 a.m., opens public hearing on SB 488.
<b><u>SB 488 PUBLIC HEARING</u></b>		
010	Janet Adkins	Explains SB 488 to committee and audience. Enters written testimony from Daniel McNeal at the Liquor Control Commission ( <b>EXHIBIT B</b> ).
020	Rob Douglas	Columbus River Steamship Operator, testifies in favor of SB 488 ( <b>EXHIBIT A</b> ).
040	Chair Montgomery	Closes public hearing on SB 488, opens work session on SB 488.
<b><u>SB 488 WORK SESSION</u></b>		
050	Rep. Markham	<b>MOTION: Moves SB 488A to the floor with a DO PASS recommendation.</b>
055		<b>VOTE: 4-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 3 - Josi,Roberts,Lehman</b>
	Chair Montgomery	<b>The motion CARRIES.</b>  <b>REP. LOKAN will lead discussion on the floor.</b>
055	Chair Montgomery	Closes work session on SB 488 opens public hearing on SB 714.
<b><u>SB 714 PUBLIC HEARING</u></b>		
062	Adkins	Explains SB 714 to committee and audience.
075	Sen. Joan Dukes	District 1, introduces SB 714 to committee and audience. Explains why SB 714 is necessary. Explains that SB 714 prevents cargo ships from offloading in the Columbia River from one ship to another without paying port fees.
110	Chair Montgomery	Asks which side of the river, Oregon or Washington, are the barges anchoring on.
120	Dave Ruoar	Port of Astoria, responds mostly on the Oregon side.
133	Rep. Wells	Explains that he has a letter that states the river is federal land.
140	Sen. Dukes	Responds that the river is federal land but that the bottom of the river is state land.
145	Rep. Wells	Asks if this bill will drive business out of the state.
		Responds that this will not drive business out of the state.

150	Sen. Dukes	Theses ships cannot transfer goods in the ocean, they need some place to go.
165	Rep. Wells	Explains that the ships will go someplace else to do their transferring.
170	Sen. Dukes	Responds that if these ships want to come into port they can. States that Washington has the same problems.
187	Rep. Markham	Asks if this legislation is breaking new ground.
190	Sen. Dukes	Responds that this is a relatively new issue.
200	Rep. Markham	Asks what a wharf exemption is.
205	Sen. Dukes	Responds.
220	Chair Montgomery	Explains that SB 714 will apply to all rivers not just the Columbia.
230	Steve Purchase	Division of State Lands, testifies in favor of SB 714 <b>(EXHIBIT J)</b> .
270	Chair Montgomery	Asks what happens when a barge transfers wheat from one barge to another.
275	Purchase	Responds that they would be exempt from port fees.
280	Rep. Wells	Asks how someone could tell if the ships are in Washington or Oregon.
290	Purchase	Responds that there is a dividing line that runs down the river that was established several years ago.
300	Rep. Markham	Asks what the revenue impact might be.
306	Purchase	Responds that he is unsure, explains how the fee will be calculated but at this time is unsure of the dollar figures.
310	Rep. Wells	Asks what would keep ships from going into Washington to do their offloading.
330	Purchase	Responds that the river is much more shallow on the Washington side.
335	Rep. Lokan	Asks Sen. Dukes how close the ships are to Astoria when they do their offloading.
345	Rep. Wells	Asks about loading wheat onto ships.
350	Purchase	Responds that wheat loading and unloading are exempt from port fees.
360	Rep. Wells	Asks about the difference between wheat and other cargo.
370	Purchase	Responds that SB 714 only covers ships that are anchored offshore.
380	Sen. Dukes	Responds to Rep. Lokan's earlier question.
390	Adkins	Enters letter from the Port of Astoria into the record

		<b>(EXHIBIT K).</b>
391	Chair Montgomery	Closes public hearing on SB 714, opens reconsideration hearing on HB 3715.
<b><u>HB 3715 RECONSIDERATION HEARING</u></b>		
392	Chair Montgomery	Explains that HB 3715 had a subsequent referral to ways and means but will be rescinded and sent to the House floor.
395	Rep. Lehman	<b>MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote.</b>
	Chair Montgomery	<b>Hearing no objection, declares the motion CARRIED.</b>
405	Rep. Lehman	<b>MOTION: Moves to RECONSIDER the vote by which we passed HB 3715.</b>
	Chair Montgomery	<b>Hearing no objection, declares the motion CARRIED.</b>
412	Chair Montgomery	Opens work session on HB 3715.
<b><u>HB 3715 WORK SESSION</u></b>		
415	Rep. Lehman	<b>MOTION: Moves HB 3715 to the floor with a DO PASS AS AMENDED recommendation.</b>
416		<b>VOTE: 4-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 3 - Josi,Markham,Roberts</b>
	Chair Montgomery	<b>The motion CARRIES.</b> <b>REP. LEHMAN will lead discussion on the floor.</b>
435	Rep. Lokan	Asks if there is going to be revenue impact.
440	Rep. Lehman	Responds.
<b><u>TAPE 111, B</u></b>		
015	Chair Montgomery	Recesses meeting at 9:10 am. Reconvenes meeting at 9:12 a.m. Closes work session on HB 3715, opens work session on SB 651.
<b><u>SB 651 WORK SESSION</u></b>		
025	Adkins	Explains SB 651 and the -3 amendments <b>(EXHIBIT E)</b> to committee and audience. Enters written letter from David Soderstrom, former President of Portland's Design Commission <b>(EXHIBIT C)</b> , and a letter from Roy Jay of

		Celebrity Limousine & Transportation Services <b>(EXHIBIT D).</b>
<b>030</b>	<b>Rep. Markham</b>	<b>MOTION: Moves SB 651 to the floor with a DO PASS recommendation.</b>
051	Linda Adlard	Chief of Staff for the City of Beaverton, states that photo radar will not be used at night because of the flash of the camera.
060	Rep. Lokan	Asks if her area adopts photo radar, will it be allowed to use it at night.
070	Chair Montgomery	Responds that they would not be able to use it at night.
075	Rep. Wells	Asks the size of the photo radar machine.
076	Adlard	Responds that they are relatively small.
085	Adlard	Explains that when you enter the cities with photo radar there are signs stating so. Explains that she has had several calls from drivers stating that they had just gone through a photo radar machine.
<b>090</b>		<b>VOTE: 5-1</b>  <b>AYE: 5 - Josi, Lehman, Lokan, Markham, Wells</b>  <b>NAY: 1 - Montgomery</b>  <b>EXCUSED: 1 - Roberts</b>
	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b>  <b>REP. STROBECK will lead discussion on the floor.</b>
120	Rep. Markham	Explains that SB 651 is a traffic safety measure.
130	Chair Montgomery	Closes work session on SB 651 opens work session on HB 3128.
<b>HB 3128 WORK SESSION</b>		
130	Adkins	Explains HB 3128 and the -2 <b>(EXHIBIT G)</b> and -4 <b>(EXHIBIT F)</b> amendments to committee and audience.
150	Adlard	Testifies in favor of HB 3128. Explains how the cameras will work and what it does.
188	Chair Montgomery	Introduces and welcomes a group of students from Halfway to the committee meeting.
195	Rep. Wells	Asks what the price of the cameras is.
200	Adlard	Responds that the cameras cost about \$150,000.
205	Rep. Wells	Asks if the cameras can be purchased or are they being leased.

210	Adlard	Responds that the City of Beaverton has chosen to lease during the pilot project era.
220	Rep. Wells	Asks about a device called a "rat box". Explains how they work. Explains how police officers can work for less money than the camera will cost.
245	Forest Soth	City of Beaverton, testifies in favor of HB 3128. Gives some examples of the effectiveness of intersection cameras. States that the numbers of court hearing have gone down and the conviction rate has gone up because of photo radar.
285	Chair Montgomery	Introduces a group of students from Halfway.
295	Rep. Markham	Asks how the intersection camera works.
300	Soth	Responds.
310	Rep. Lokan	Asks if there is a flash from the intersection camera.
320	Adlard	Responds that there is a small flash.
331	Rep. Wells	Asks if there is not a distinguishable picture of the driver will the ticket still be issued.
345	Adlard	Responds that intersection photo still allows for a certification of innocence. Explains that there are two pictures taken one of the front and one of the back.
364	Rep. Wells	Asks about the view of the cameras.
370	Adlard	Responds that it is similar to photo radar in regard to angle.
375	Rep. Wells	Asks if HB 3128 is a pilot project and is Adlard satisfied with it.
395	Adlard	Responds that she is aware that it is a pilot project and she is satisfied.
410	Chair Montgomery	Introduces students from Gold Beach.
419	Adlard	Explains that the -4 amendments limit this to the City of Beaverton.
<b>TAPE 110, B</b>		
<b>020</b>	<b>Rep. Markham</b>	<b>MOTION: Moves to ADOPT HB 3128-4 amendments dated 05/09/97.</b>
	<b>Chair Montgomery</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>025</b>	<b>Rep. Markham</b>	<b>MOTION: Moves HB 3128 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 5-0</b>

		<b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 2 - Roberts,Lehman</b>
	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b> <b>REP. MARKHAM will lead discussion on the floor.</b>
060	Chair Montgomery	Closes work session on HB 3128, opens public hearing on SB 925
<b><u>SB 925 PUBLIC HEARING</u></b>		
070	Adkins	Explains SB 925 to committee and audience.
071	Sen. Joan Dukes	District 1, reads some of SB 925 to committee and audience. Explains how some of the property was acquired and who holds the title and that it is leased out. Explains that public property will be sold to private parties who will then charge for its use.
125	Rep. Wells	Asks about Columbia County's interest in the property.
130	Chuck Ashcroft	Columbia County Parks, responds.
135	Rep. Wells	Asks if the bill passes, will the property go to the state.
140	Ashcroft	Responds that the state will sign off on the property and let Columbia County maintain the property.
160	Rep. Wells	Asks about state parks.
164	Sen. Dukes	Responds that there are a number of publicly owned pieces of surplus land.
185	Carol Mitchel	Marine Board, testifies in favor of SB 925 ( <b>EXHIBIT H</b> ). Explains that she is in favor of this bill for boaters' use. Explains the land also serves as rest area for motorists. States that she thinks there will be an agreement between counties and the state.
241	Nancy Evens	Senior Policy Analyst for State Parks, testifies in favor of SB 925. Explains how SB 925 will allow local jurisdictions to keep several recreation areas.
282	Rep. Wells	Asks about current state law in regard to property transfer.
290	Evens	Responds that is probably a better question for the Oregon Department of Transportation.
307	Rep. Wells	Asks how the property became ODOT's.
315	Rep. Lokan	Asks about the list of properties.
320	Evens	Responds.
325	Rep. Lokan	Asks why we need more state parks if the current ones cannot be maintained.

335	Evens	Responds.
350	Al Lightner	ODOT, testifies that ODOT is currently selling some land to private parties at the request of the Secretary of State Office ( <b>EXHIBIT I</b> ). Explains that property cannot be given away or leased for nothing. States that it should be sold at fair market value.
385	Rep. Josi	Asks the price of the Beaver Boat Ramp.
390	Lighter	Responds that he will get that information for the committee.
<b>TAPE 111, A</b>		
010	Lighter	Continues testimony.
025	Chair Montgomery	Explains that State Parks have a full plate right now and wonders if they can handle more land.
030	Rep. Wells	Asks about constitutional issues if ODOT owns the land, can it be transferred to another agency.
040	Sen. Dukes	Responds that Legislative Counsel deemed transfers to be okay constitutionally.
050	Rep. Wells	States that Legislative Counsel, attorneys and courts could have different opinions.
057	Chair Montgomery	Asks if ODOT has any plans to sell their land.
064	Lighter	Responds that it is subject to being sold.
070	Chair Montgomery	States that the county has invested \$40,000 into the property.
076	Sen. Dukes	Explains that ODOT has invested money into the property and has recieved benefits from the property.
087	Rep. Josi	States that current law prohibits ODOT from giving this land away.
090	Lighter	Responds that is correct.
095	Sen. Dukes	States that the property can be leased to Columbia County.
100	Lighter	Explains that the property can be leased to Columbia County.
115	Rep. Josi	Asks if the lease has to be for fair market value.
120	Lighter	Responds that is correct.
125	Chair Montgomery	Adjourns meeting at 10:14 a.m.

Submitted By, Reviewed By,

Erik Deitz, Janet Adkins,



Administrative Support Policy Analyst

**EXHIBIT SUMMARY**

**A - SB 488, written testimony, Rob Douglas, 1 p**

**B - SB 488, written testimony, Daniel McNeal, 2 pp**

**C - SB 651, written testimony, David Soderstrom, 1 p**

**D - SB 651, written testimony, Roy Jay, 2 pp**

**E - SB 651, -3 amendments, Janet Adkins, 1 p**

**F - HB 3128, -4 amendments, Janet Adkins, 1 p**

**G - HB 3128, -2 amendments, Janet Adkins, 3 pp**

**H - SB 925, written testimony, Carol Mitchel, 1 p**

**I - SB 925, written testimony, Al Lightner, 2 pp**

**J - SB 714, written testimony, Steve Purchase, 1 p**

**K - SB 714, written testimony, Jonathan Krebs, 1 p**