

HOUSE COMMITTEE ON TRANSPORTATION

May 19, 1997 Hearing Room D

8:30 A.M. Tapes 112 - 113

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:

SB 714A Work Session

SJR 26A Public Hearing and Work Session

SB 56A Public Hearing and Work Session

SB 990 Public Hearing and Work Session

SJR 6 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 112, A		
	Chair	

005	Montgomery	Calls meeting to order at 8:30 a.m., opens public hearing on SJR 26.
<u>SJR 26 PUBLIC HEARING</u>		
010	Janet Adkins	Policy Analyst, explains SJR 26 to committee and audience.
020	Rep. Bill Markham	District 46, talks about Jason Boe and what a good legislator and family man he was. Tells two stories about Jason Boe.
075	Chair Montgomery	Closes public hearing on SJR 26, opens work session on SJR 26.
<u>SJR 26 WORK SESSION</u>		
085	Rep. Markham	MOTION: Moves to ADOPT SJR 26A-4 amendments dated 5/14/97 (EXHIBIT A).
	Chair Montgomery	Hearing no objection, declares the motion CARRIED.
090	Rep. MARKHAM:	MOTION: Moves SJR 26A be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
		VOTE: 6-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Roberts
	Chair Montgomery	The motion CARRIES. REP. MARKHAM will lead discussion on the floor.
095	Brian Boe	Testifies about his father and thanks the committee for giving this honor.
100	Chair Montgomery	Closes work session SJR 26, opens work session on SB 714.
<u>SB 714 WORK SESSION</u>		
115	David Bartz	Schwabe, Williamson and Wyatt, testifies against SB 714. (EXHIBIT B). Explains why ships need to be able to anchor without paying port fees.
160	Bartz	Says that ships need to be able to off load off shore so they can be ready to take on new cargo. States that if this bill passes ships will go to other ports or states to do their cargo transfers.
180	Chair Montgomery	Asks about the loading and unloading of wheat.
185	Bartz	Responds that this bill would pertain to the loading and off loading of wheat.

196	Chair Montgomery	Asks about tying up to a mooring buoy.
202	Bartz	Responds that it is considered anchoring if the ship is tied up to a buoy. Explains that there is no fee to be tied up to a buoy.
215	Chair Montgomery	Asks if this bill is geared toward commercial fishing.
220	Bartz	Responds yes.
223	Rep. Wells	Asks for clarification in his testimony. Would like to know how the bill restricts anchoring.
233	Bartz	Responds. Reads portions the of the bill, explains that all cargo ships are required to pay port fees.
250	Rep. Wells	Asks if a ship were to simply anchor, would it be charged port fees under this bill.
260	Bartz	Responds yes.
270	Rep. Wells	Ask Rob Douglas where he was when this bill was on the senate side.
280	Rob Douglas	Oregon Steamship Operators Association, responds he was unaware that this bill was introduced.
295	Rep. Lokan	Asks if this bill passes would it make Oregon ports less competitive.
300	Bartz	Responds yes it would make the ports less competitive.
308	John Good	Port of Astoria, testifies in favor of SB 714. Explains that this bill is not intended to charge ships for anything but the transferring of cargo. It is intended to charge ships that are trying to side step port fees. Explains that the Port of Astoria lowered their rates by ten percent.
358	Chair Montgomery	Asks how many ships have tried to side steps these fees.
379	Good	Responds.
389	Rep. Lehman	Ask how much money would the Port of Astoria have made if the two ships would have had to pay.
405	Good	Responds about \$2,000.
414	Rep. Lokan	Asks if this bill will make the Port of Astoria less competitive.
424	Good	Responds that no it would not be less competitive.
TAPE 113,A		
020	Steve Purchase	Division of State Lands, testifies about port fees and wharf exemptions. Explains that when ships transfer cargo it may not be on state land.
050	Chair Montgomery	Asks where the floating dock is moored.
052	Good	Responds that it is moored on the river.
055	Sen. Joan	District 1, testifies if ships are going to be exempt from leasing fees

	Dukes	then there needs to be some financial benefit to the state of Oregon.
080	Purchase	Explains wharf exemptions. Explains that this bill will not change wharf exemptions.
095	Sen. Dukes	Explains that she went to Legislative Counsel and asked them to draft the bill in such a way not to include wharf exemptions.
106	Chair Montgomery	Ask if State Lands has a problem when ships want to anchor in Oregon and not transfer goods, as long as they're not blocking ship traffic.
110	Purchase	Responds that is okay.
122	Chair Montgomery	Closes work session on SB 714 opens public hearing on SB 56.
<u>SB 56</u> <u>PUBLIC</u> <u>HEARING</u>		
130	Adkins	Explains SB 56 to committee and audience. Explains the special request from the Oregon Youth Authority (OYA).
150	Karen Brazeau	Oregon Youth Authority, testifies in favor of SB 56. Suggests that the committee go back to the original bill which allowed Oregon Youth Authority to use their work address for Driver and Motor Vehicle Services (DMV) records.
190	Rep. Markham	Asks what Brazeau would like the bill to do.
197	Brazeau	Responds that she would like OYA employees to be allowed to use work address for DMV records.
210	Rep. Lokan	Asks how many employees would use their work address.
219	Brazeau	Responds about twenty-four.
224	Rep. Lehman	Asks if OYA employees can show cause, can they use their work addresses for DMV.
237	Brazeau	Responds yes.
240	Rep. Josi	Asks Brazeau if she has reviewed HB 2096.
249	Brazeau	Responds. Explains that she would just like to have the protection that OYA had in the past.
268	Rep. Lokan	Asks what is not included in HB 2096.
273	Brazeau	Responds that there are several people and agencies that can get personnel records. Explains that it is not enough protection.
288	Chair Montgomery	Explains that we need to bring this bill back at a later date.
295	Rep. Josi	Explains about HB 2096.
310	Rep. Lehman	Explains that the number of people that are threatened is very small.
325	Chair Montgomery	Explains that we should talk about this in a later hearing.
332	Rep. Wells	Explains that there is already a list in statute to protect some state

		employees.
360	Chair Montgomery	Closes public hearing on SB 56, opens work session on SB 56.
<u>SB 56 WORK SESSION</u>		
365	Rep. Wells	States that there are several state agencies already protected under current statute but not OYA.
335	Rep. Lehman	MOTION: Moves to TABLE SB 56A.
340		VOTE: 5-1 AYE: 5 - Josi, Lehman, Lokan, Markham, Montgomery NAY: 1 - Wells EXCUSED: 1 - Roberts
350	Chair Montgomery	The motion CARRIES.
400	Chair Montgomery	Closes work session on SB 56, opens public hearing on SB 990.
<u>SB 990 PUBLIC HEARING</u>		
435	Adkins	Explains SB 990 to committee and audience.
450	Jim Dyer	Oregon resident, testifies in favor of SB 990. Explains that his son was struck by an automobile when he was working in a construction area.
TAPE 112, B		
060	Ray Thomas	Attorney, testifies in favor of SB 990.
065	Rep. Markham	Asks what exactly this bill does.
068	Thomas	Responds. Shows committee a video in support of SB 56.
077	Rep. Lokan	Asks what exactly a pedestrian is, or does this bill just include construction workers.
110	Rep. Markham	Asks what happens if a worker steps out in the road and gets hit.
116	Thomas	Explains that if a flagger is run over, the flagger is considered a pedestrian and under current law the pedestrian needs to yield to an automobile if he or she is not in a cross walk.
140	Chair Montgomery	Asks why a policeman or hitchhiker would not be covered under this bill.
146	Thomas	Explains that Adkins suggested the wording be redone.
155	Rep. Markham	Asks what would happen if a construction worker were to step out in front of a automobile, who would be at fault.
168	Thomas	Responds.

170	Chair Montgomery	Explains that the work zone needs to have a sign indicating so.
180	Sgt. Mark Cotter	Oregon State Police, testifies in favor of SB 990 (EXHIBIT C).
195	Rep. Markham	Asks if having two different colored speed limit signs confuses drivers.
215	Dyer	Responds that speed signs have different authority.
222	Larry Christianson	Oregon Department of Transportation, explains that white signs are enforceable and orange signs are suggested speed (EXHIBIT E).
245	Chris Davie	SAIF corporation, testifies in favor of SB 990.
255	Christianson	Clarifies some statistics.
263	Chair Montgomery	Closes public hearing on SB 990, opens public hearing on SJR 6.
<u>SJR 6 PUBLIC HEARING</u>		
280	Adkins	Explains SJR 6 to committee and audience.
285	Rep. Lehman	Asks why this is a joint resolution and why we are not making it a statute.
315	Chair Montgomery	Responds.
316	Don Underwood	Oregon Department of Forestry, testifies in favor of SJR 6 (EXHIBIT D).
350	Mark Gibson	Timberland Logging, testifies in favor of SJR 6 (EXHIBIT F). Reads from written testimony.
400	Gibson	Continues testimony.
<u>TAPE 113, B</u>		
010	Rep. Wells	Asks what Gibson's interest is in SJR 6.
013	Gibson	Responds, explains his concern for the safety of people in the aircraft industry. Explains that the Department of Defense gets rid of old aircraft at almost no cost, but they are not always safe.
044	Jerry Brown	Helicopter Company, explains that the points he would have mentioned were covered.
055	Chair Montgomery	Closes public hearing on SJR 6, opens work session on SJR 6.
<u>SJR 6 WORK SESSION</u>		
060	Rep. LEHMAN:	MOTION: Moves SJR 6A be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 5-0

065		AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Markham, Roberts
	Chair Montgomery	The motion CARRIES. REP. JOSI will lead discussion on the floor.
070	Chair Montgomery	Closes work session on SJR 6, adjourns meeting at 10:05 a.m.

Submitted By, Reviewed By,

Erik Deitz, Janet Adkins,

Administrative Support Policy Analyst

EXHIBIT SUMMARY

A - SJR 26A, -4 amendments, Janet Adkins, 1 p

B - SB 714, written testimony, David Bartz, 5 pp

C - SB 990, Sgt. Mark Cotter, written testimony, 2 pp

D - SJR 6, written testimony, Don Underwood, 1 p

E - SB 990, written testimony, Larry Christianson, 2 pp

F - SJR 6, written testimony, Mark Gibson, 3 pp