

CONFERENCE COMMITTEE ON HB 2534

June 18, 1997 Hearing Room 137

12:45 Tapes 01

MEMBERS PRESENT:

Rep. Montgomery, Chair

Rep. Mike Lehman

Rep. Larry Wells

Sen. Gary George

Sen. Joan Dukes

Sen. Marylin Shannon

STAFF PRESENT:

Janet Adkins, Policy Analyst

Kellie Shoemaker, Committee Clerk

Erik Deitz, Administrative Support

MEASURE/ISSUES HEARD:

HB 2534 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 01,A		
001	Chair Montgomery	Calls the meeting to order at 12:50 p.m.
002	Chair Montgomery	Opens a work session on HB 2534.
<u>HB 2534 WORK SESSION</u>		
		Policy Analyst, summarizes the bill and discusses the amendments adopted in the Senate committee that were not included in the B engrossed version of the bill that was passed on the Senate floor.

010	Janet Adkins	* Explains the intent of the amendments that were adopted by the Senate committee to include reciprocity allowing a disabled person parking permit from another state or country to park in Oregon without violation.
025	Sen. Dukes	Concurs with staff's summary of the bill and states that she has the -A3 amendments that Senate Transportation adopted on 05/19/97 but were not included in the B engrossed version of the bill that was passed on the Senate floor.
055	Sen. Dukes	MOTION : Moves to AMEND HB 2534B on page 2, line 16, after "ORS 811.606" and before the semicolon, insert " or a disabled person parking permit issued by another jurisdiction."
064	Rep. Wells	Asks for clarification of the language that was left out of the B engrossed version of the bill and asks if the amendment proposed by Sen. Dukes is the exact language from the Senate amendment.
070	Sen. Dukes	Responds affirmatively.
073	Chair Montgomery	Hearing no objection, declares the motion CARRIED.
075	Sen. Shannon	Discusses the concerns regarding HB 2534 that came up during testimony in the Senate committee. * no fines for inadvertent violations of disabled parking permits vs. a decreased fine proposed by the senate committee
100	Joan Robinson	Legislative Counsel, testifies in regard to HB 2534. * Confirms that the -A3 amendments were adopted by the Senate committee however, Legislative Counsel failed to include them in the engrossed version of the bill.
110	Jeff Watkins	Representative, Association for Retarded Citizens (ARC), United Cerebral Palsy Association (UCPA), testifies in opposition to language in HB 2534. * fines should not be reduced for inadvertently parking in a disabled parking place * HB 2377 (1997) allows fines to be reduced to \$50, thereby duplicating the language in HB 2534 * suggests deleting the language on line 40
124	Chair Montgomery	Comments that if HB 2377 and HB 2534 accomplish the same result in regards to fines that there is no point in further amending HB 2534.

		Requests that the bill be left as it stands.
128	Sen. Shannon	Explains that Watkins is referring to a minimum fine for blocking a disabled parking place and not parking in the space. Suggests that these are different issues.
134	Chair Montgomery	States that this bill will help handicapped people if they leave their disabled parking permit at home.
138	Rep. Lehman	* States that the word "inadvertent" may be a problem as it is not a sound defense. * The words "compelling circumstances" are good choices.
146	Sen. Shannon	Asks Rep. Lehman what he would replace "inadvertent" with.
150	Rep. Lehman	Would prefer language that states a violation was "due to compelling circumstances."
159	Sen. George	Asks what happens if the parking space is not properly marked and wonders if this is a good example of an individual "inadvertently" violating a disabled parking space.
163	Sen. Shannon	* Tickets can only be issued if the space is clearly marked. * This issue is covered in Oregon Revised Statutes (ORS).
	Robinson	* Suggests that the committee strike "the violation was inadvertent and other" * The bill will read " the judge would have to find from clear and convincing evidence that compelling circumstances require a suspension" * This gives much discretion to the judge.
190	Sen. Dukes	Comments that this new amendment may be broadening the bill's intent more than is necessary.
199	Watkins	Comments on his support of the conceptual amendments being discussed by the committee.
212	Rep. Lehman	MOTION: Moves to AMEND HB 2534 B, page 2, line 41, by deleting "the violation was inadvertent and other."
215	Chair Montgomery	Hearing no objection, declares the motion CARRIED.
220	Sen. Shannon	Asks Kelly Taylor to speak to page 2, lines 9 and 10 regarding disabled veterans.
222	Kelly Taylor	Oregon Department of Transportation (ODOT), explains that striking lines 9 and 10 on page 2 will require veterans to pay for their disabled permits as is required for other disabled citizens. * discusses veterans who have license plates that recognize "service to

		country" but don't require disabled permits
253	Sen. Shannon	Asks if veterans support this issue.
257	Taylor	Responds affirmatively.
273	Rep. Lehman	MOTION: Moves to AMEND HB 2534B on page 2, by deleting lines 9 and 10.
	Chair Montgomery	Hearing no objection, declares the motion CARRIED.
275	Rep. Wells	MOTION: Moves HB 2534 to the floor with the recommendation that the House concur with the Senate amendments dated 06/02/97 and that the bill be further amended by the conference committee conceptual amendments and be repassed.
		VOTE: 6-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Montgomery	The motion CARRIES.
299	Chair Montgomery	Closes the work session on HB 2534.
300	Chair Montgomery	Adjourns the meeting.

Submitted By, Reviewed By,

Erik Deitz, Janet Adkins,

Administrative Support Policy Analyst

Transcribed by,

Diane M. Quinones

Administrative Support