

SENATE COMMITTEE ON TRANSPORTATION

March 24, 1997 Hearing Room C

1:15 P.M. Tapes 43 - 44

**MEMBERS PRESENT:**

Sen. Marylin Shannon, Chair

Sen. Ken Baker, Vice-Chair

Sen. Joan Dukes

Sen. Gary George

Sen. Mae Yih

**MEMBER EXCUSED:**

**STAFF PRESENT:**

Lin Ludwick, Administrator

Nora Carlson, Administrative Support

**MEASURE/ISSUES HEARD:**

SB 557 Public Hearing

SB 533 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 43, A</b>		
003	Chair Shannon	Calls meeting to order at 1:22 p.m. Opens public hearing on SB 557.
<b><u>SB 557 PUBLIC HEARING</u></b>		
005	Lin Ludwick	Administrator, reviews provisions of SB 557.
010	Sen. Jeannette Hamby	District 5, provides testimony in support of SB 557.

030	Chair Shannon	Asks if she views the revenue impact figures to be sometimes inflated.
032	Sen. Hamby	Agrees.
035	Jessica Harris	Legislative Assistant to Sen. Hamby, submits written materials and provides testimony in support of SB 557 ( <b>EXHIBIT A</b> ).
075	Harris	Submits proposed amendments on SB 557 ( <b>EXHIBIT B</b> ), issues discussed: <ul style="list-style-type: none"> <li>* Certificate of Initial Mastery</li> <li>* withdrawal from school agreement</li> <li>* hardship exemptions</li> </ul>
103	Chair Shannon	Comments on proposed amendments and the similarity to charter schools proposals and states that amendments are not appropriate.
108	Irv Nikolai	Superintendent, Forest Grove School District, submits and provides testimony in support of SB 557 ( <b>EXHIBIT C</b> ), issues discussed: <ul style="list-style-type: none"> <li>* linking attendance to drivers licenses</li> <li>* school dropouts</li> <li>* academic performance and attendance</li> </ul>
157	Sen. Yih	Agrees with proposed amendments and asks if the required graduation age of 18 years should be changed to 19 years of age.
170	Nikolai	Responds that he would like to see the requirement changed to 21 but comments on other laws that deal with emancipated children.
210	Sen. Yih	Question about the minimum performance standards and holding home-school students to the same standards to qualify for driving privileges.
223	Sen. Yih	Asks Mr. Nikolai to comment on the fiscal impact of the bill.
230	Nikolai	Responds that the figures appear to be inflated.
290	Harris	Responds to the fiscal impact figures and explains that the numbers were drawn from the original draft of the bill and if the amendments were adopted the fiscal impact would be lower.
313	Nikolai	Responds that contract agreements for attendance have been in place for decades and that it will not cost the schools any additional money.
324	Chair Shannon	Question regarding students who drop out to help support their family.
380	Sen. Baker	Comments that he would like to hear from Dept. of Education as to their criteria regarding migrant families.
		Comments on the broad language of the bill and asks what would

392	Sen. Dukes	prevent a student from dropping out.
410	Harris	Responds that under the proposed provision, students who drop out would not be eligible because it would be difficult to prove that they needed to leave school in order to provide full time work for their family.
<b>TAPE 44, A</b>		
024	Sen. Dukes	Comments that there are a lot of parents who would sign anything that would show a student had to work to help support the family and that she is not sure if dropping out to help support the family is considered to be a reasonable exemption.
046	Sen. Baker	Comments on the statewide dropout rate and also comments on restrictions that apply in urban areas and not in rural areas.
091	Sen. Baker	Asks if high school principals support the bill.
095	Nikolai	Responds that he has discussed the issue with his principals who also seem in favor of the bill.
118	Sen. George	Refers to a young man who dropped out of school and asks if the bill would prevent him from obtaining a license if it was required by his employers.
142	Nikolai	Describes a program called OPTIONS that helps youngsters who cannot cope in schools.
192	Sen. Dukes	Asks if the Oregon Department of Transportation (ODOT) could provide testimony on the fiscal impact of the bill.
195	Chair Shannon	Defers ODOT's response to a future public meeting.
227	Sen. Yih	Expresses concern on the impact it could have on the Department of Motor Vehicle Services.
243	Chair Shannon	Closes public hearing on SB 557; opens public hearing on SB 533.
<b><u>SB 533</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
280	Lin Ludwick	Administrator, reviews provisions of SB 533.
300	Sen. Ted Ferrioli	District 28, provides testimony in support of SB 533, issues discussed: * gasoline cardlock systems * cardlock abuse citations
360	Sen. Ferrioli	Continues with testimony on the cardlock investigation of the Ivan McDaniel Oil Company.
373	Sen. Baker	Asks to identify which agency provided the investigation.
375	Sen. Ferrioli	Identifies the Oregon State Police as the investigating agency.

393	Chair Shannon	Asks if the ban on self service gas should be repealed.
399	Sen. Ferrioli	Responds that he does not wish to comment on the issue.
400	Chair Shannon	Comments that as long as there is a ban on self-service gas, cardlocks stations will continue to be monitored.
<b>TAPE 43, B</b>		
017	Chair Shannon	Asks how cardlocks could be monitored to prevent cardlocks from becoming self serve gasoline stations.
021	Sen. Ferrioli	Responds that cardlocks may only be issued to government, corporation, or nonprofit organizations.
055	Chair Shannon	Comments on the unfairness to service stations that cannot offer the same low price as cardlock stations.
060	Sen. Ferrioli	Responds that cardlock stations are not cheaper than ordinary gas stations and comments on the security in being able to use a card lock station when all the other stations are closed.
122	Sen. Dukes	Comments on the abuse of cardlock systems by businesses and their families.
150	Sen. George	Provides example where he could have used a cardlock but he would have been in violation of the law and comments on the need for balance in cardlock investigations.
180	Sen. Ferrioli	Clarifies that the citation is not for the person who is pumping their own gas, it is for the person who dispenses the cardlock.
190	John McCulley	Representing the Agriculture Cooperative Council of Oregon, provides testimony in support of SB 533.
242	Sen. Yih	Asks how many cardlock stations are located throughout the state.
245	McCulley	Responds that they have 15 cooperatives in the state operating at 27 different locations.
252	Sen. Yih	Asks if the bill were adopted whether it would mean more cardlock stations.
257	McCulley	Responds that there would be an increase in customers with keys rather than an increase in facilities.
311	Carol Washburn	State Fire Marshall, submits and provides testimony on SB 533.  ( <b>EXHIBIT D</b> ), issues discussed:  * laws concerning cardlock facilities  * increase in accounts audited  * increase in staffing
363	Sen. Baker	Asks if the state police audits every cardlock account.
365	Washburn	Responds that they are required by law to audit 5 percent of a customer's database.

410	Mark Nelson	Representing Southland Corporation, submits statute information and provides testimony in opposition to SB 533. ( <b>EXHIBIT E</b> ).
<b>TAPE 44, B</b>		
030	Nelson	Continues with testimony on access for non retail facilities.
060	Sen. George	Asks to identify Southland Corporation and asks what is the business interest.
062	Nelson	Identifies the Southland Corporation as the 7-11 franchise stores located nationwide and that their interest is economical and competitive.
092	Sen. Baker	Comments on Southland's economic interest and asks why the State Fire Marshall's office is involved.
100	Nelson	Responds that the groups that testified did not realize the issue of self serve.
105	Sen. Baker	Question regarding hours of availability for cardlock stations.
130	Mike Sherlock	Executive Director, Gasoline Dealers Association, provides testimony in opposition to SB 533.
180	Sherlock	Continues with testimony on the effect to retail service stations.
188	Chair Shannon	Adjourns meeting at 2:58 p.m.

Submitted By, Reviewed By,

Nora Carlson, Lin Ludwick,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - SB 557, written materials, Jessica Harris, 5 pp**

**B - SB 557, proposed amendments, Jessica Harris, 2 pp**

**C - SB 557, testimony and written materials, Irv Nikolai, 5 pp**

**D - SB 533, testimony, Carol Washburn, 2 pp**

**E - SB 533, statute requirements, Mark Nelson, 1 p**

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