

SENATE COMMITTEE ON TRANSPORTATION

April 16, 1997 Hearing Room C

1:00 P.M. Tapes 61-62

MEMBERS PRESENT:

Sen. Marylin Shannon, Chair

Sen. Ken Baker, Vice-Chair

Sen. Gary George

Sen. Joan Dukes

Sen. Mae Yih

STAFF PRESENT:

Lin Ludwick, Administrator

Paul Zolezzi Administrative Support

MEASURE/ISSUES HEARD:

SB 950 Public Hearing

SB 953 Public Hearing

SB 1178 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
TAPE 61, A		
003	Chair Shannon	Convenes meeting at 1:00 PM and opens public hearing on SB 953.
<u>SB 953 PUBLIC HEARING</u>		
004	Lin Ludwick	Committee Administrator explains bill.
006	Marshall Coba	Introduces himself as representing the Oregon Truckers Association (OTA) and explains need for bill. States support for bill.
020	John Sallak	Introduces himself as representing the OTA and explains need for

		bill. States support for bill.
028	Sen. Baker	Asks if the Oregon Department of Transportation (ODOT) safety stickers are currently issued to vehicles within 90 days.
030	Sallak	Explains current safety inspection program and contrasts to bill's proposal.
060	Paul Henry	Introduces himself as representing ODOT and explains bill. Explains ORS 825.139 and discusses need for bill. States support for bill.
098	Sen. Baker	Asks what group of carriers will be affected by bill.
102	Henry	Explains impacts of bill and discusses relating federal legislation.
134	Sen. Dukes	Comments on ODOT's ability to administer program by administrative rule. Discusses OAR 7400350150.
170	Lieutenant Glen Rader	Introduces himself as representing the Oregon State Police and explains need for bill.
196	Sen. Dukes	Comments on interest groups in favor of bill.
206	Sen. George	Asks what the penalties will be of those who don't comply with program.
208	Rader	States that currently no penalties are in place, but program will allow for civil penalties to be assessed.
243	Chair Shannon	Closes public hearing on SB 953 and opens public hearing on SB 1178.
<u>SB 1178</u> <u>PUBLIC</u> <u>HEARING</u>		
263	Gary Conkling	Introduces himself as representing Gary and Suzanne Cole and explains bill. States support for bill.
338	Suzanne Cole	Introduces herself as a public citizen and explains need for bill. States support for bill and references anecdotal evidence in support of bill.
TAPE, 62 A		
001	Cole	Continues testimony in support of SB 1178.
045	Sen. Baker	Explains power of condemnation process granted to particular state commissions.
067	Conkling	States concern about the lack of checks and balances in condemnation process.
106	Sen. Bill Dwyer	Introduces himself as representing Senate District 21 and explains need for bill. States support for bill.
152	Sen. Yih	Asks if bill affects only one district.
154	Sen. Dwyer	Answers yes to Sen. Yih's question. Explains bill.
158	Sen. Yih	Asks what other alternatives to condemnation are.
160	Cole	Discusses anecdotal evidence involving condemnation of personal property. Discusses perceived lack of alternatives (commission isn't looking for other alternatives).

192	Sen. George	Comments on history of Lane Transit District (LTD).
195	Sen. Dwyer	Explains LTD.
214	Sen. George	Asks how LTD is funded.
216	Sen. Dwyer	Explains LTD funding mechanisms.
223	Patricia Hocken	Introduces herself as representing LTD. Explains LTD Board of Directors appointment process. Discusses history of LTD. Discusses rules and regulations regarding condemnation procedures.
285	Hocken	Describes LTD funding mechanisms and discusses history of condemnation process.
360	Stefano Viggiano	Introduces himself as representing LTD and discusses condemnation procedures.
TAPE 61, B		
023	Jake Tanzer	Introduces himself as representing the Oregon Transit Association and states opposition to bill. Discusses need for LTD property condemnation authority. States concern about precedent setting nature of bill.
120	Sen. Dukes	Comments on flexibility of LTD rules regarding property condemnation. States concern about LTD condemnation rules or lack thereof.
160	Viggiano	Discusses condemnation timelines and procedures.
228	Chair Shannon	Closes public hearing on SB 1178 and open public hearing on SB 950.
<u>SB 950</u> <u>PUBLIC</u> <u>HEARING</u>		
250	Jerry Purvis	Introduces himself as a public citizen and submits (EXHIBIT C) . States support for bill and discusses anecdotal evidence in support of bill.
TAPE 62, B		
025	Shirley Purvis	Introduces herself as a public citizen and submits (EXHIBIT D) . Discusses need for bill and states support for bill.
088	Sen. Baker	Asks if Yamhill County Sheriff has supported Purvis' claims against parachuters.
104	Sen. Dukes	Asks how bill solves Purvis' problem. Discusses Federal Aviation Administration regulation 105.13 relating to parachuting liability.
106	Sen. Baker	States concern that bill does not address Purvis' concerns.
184	Lin Ludwick	Committee Administrator explains language problem in bill summary. States that Jerry Purvis is bill sponsor, not Oregon Farm Bureau.
188	Ron Heyerly	Introduces himself as an Oregon farmer and discusses need for bill. States support for bill.
		Introduces herself as representing Oregon Department of

208	Betsy Johnson	Transportation (ODOT) and references SB 1113. States concerns about bill including possible federal preemption issues.
241	Sen. Yih	Asks what applicable federal preemption's exist.
244	Johnson	Discusses federal regulations regarding airspace.
268	Sen. Baker	Closes public hearing on SB 950 and adjourns meeting at 2:50 PM.

Submitted By, Reviewed By,

Paul Zolezzi, Lin Ludwick,

Administrative Support Administrator

EXHIBIT SUMMARY

A - SB 1178 written testimony, Gary Conkling, 2 pp.

B - SB 1178 written testimony, Suzanne Cole, 2 pp.

C - SB 950 written testimony, Jerry Purvis, 16 pp.

D - SB 950 written testimony, Shirley Purvis, 41 pp.

E - SB 950 written testimony, Betsy Johnson, 2 pp.
