

SENATE COMMITTEE ON TRANSPORTATION

April 21, 1997 Hearing Room C

1:00 PM Tapes 65 - 66

MEMBERS PRESENT:

Sen. Marylin Shannon, Chair

Sen. Ken Baker, Vice-Chair

Sen. Joan Dukes

Sen. Gary George

Sen. Mae Yih

STAFF PRESENT:

Lin Ludwick, Administrator

Paul Zolezzi, Administrative Support

MEASURE/ISSUES HEARD:

SB 1111 Public Hearing and Work Session

SB 756 Public Hearing

SB 372 Public Hearing

SB 1099 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 65, A		
004	Chair Shannon	Convenes meeting at 1:00 PM and opens public hearing on SB 1111.
<u>SB 1111 PUBLIC HEARING</u>		
012	Sen. Eugene Timms	Introduces himself as representing Senate District 30. Explains bill and states support for bill. Discusses need for fiber optic cable lines in rural areas.

025	Mark Ford	<p>Introduces himself as representing the Oregon Department of Transportation (ODOT) and submits (EXHIBIT A). Discusses highway access for telecommunications and associated regulations.</p> <ul style="list-style-type: none"> * shared right of way project for telecommunication * until recently federal laws prohibited highway right of ways for telecommunication travel * SB 994 from the 1995 session resulted in the 1996 Telecommunications Act * providers give services to rural areas for right of way access * gives ODOT the ability to enter into agreements with private telecommunication providers * right of way agreements will benefits rural areas * ODOT will not charge for right of ways
088	Sen. George	Provides anecdotal evidence of situation in Yamhill County which ended in disaster. States concern that laying cable under highways may cause highway deterioration.
096	Ford	Responds to Sen. George's question. States that situation reflects why federal government has previously restricted right of way access on highways.
102	Sen. Timms	States that fiber optic cable must be laid properly to prevent road destruction.
112	Sen. Yih	Asks if right of ways will be owned by ODOT or by the federal government.
114	Ford	Comments that right of way widths vary throughout the state, and that the permit process allows utilities to access right of ways without destabilizing structure of road. States that interstate highways are owned by Oregon and funded by the federal government.
135	Timms	Suggests referring bill to telecommunications committee.
148	Chair Shannon	Closes public hearing on SB 1111 and opens work session.
<u>SB 1111</u> <u>WORK</u> <u>SESSION</u>		
150	Sen. Baker	MOTION: Moves SB 1111 to the floor with a DO PASS recommendation.
151		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye.

		EXCUSED: 1 - Duker
	Chair Shannon	The motion CARRIES. SEN. TIMMS will lead discussion on the floor.
160	Chair Shannon	Closes work session on SB 1111 and opens public hearing on SB 756.
<u>SB 756</u> <u>PUBLIC</u> <u>HEARING</u>		
164	Liz Vohland	Introduces herself as representing Senator Randy Miller. States support for bill. Discusses work group that has worked to draft bill.
171	Chair Shannon	Closes public hearing on SB 756 and opens public hearing on SB 372.
<u>SB 372</u> <u>PUBLIC</u> <u>HEARING</u>		
181	Sen. Lim	Introduces himself as representing Senate District 11. Explains need for bill and states support for bill.
220	Ron Harlan	Introduces himself as representing the Military Order of Purple Hearts. Explains need for bill and states support for bill.
236	Richard Lucht	Introduces himself as representing the United Veterans' Group of Oregon and submits (EXHIBIT B). Explains history of purple heart award and explains need for bill. Discusses past federal legislation relating to the purple heart award. Discusses ORS Chapter 805 and ORS 803.535. Discusses funding mechanism of program.
370	Lucht	States support for -3 amendments.
373	Sen. Yih	Asks how many purple heart recipients currently live in Oregon.
375	Harlan	Discusses statistics relating to purple heart recipients. Discusses eligibility requirements for buying veterans' license plates.
TAPE 66, A		
005	Sen. Yih	Asks about fiscal impacts of proposed program.
015	Harlan	Discusses self-supporting nature of program.
035	Chair Shannon	States support for bill.
055	Kelly Taylor	Introduces herself as representing the Oregon Department of Transportation and submits (EXHIBIT C). Discusses 1993 legislation relating to issuance of specialty plates (SB 98). Discusses fiscal aspects of program. States that current program is not recovering incurred costs.
170	Jon Mangis	Introduces himself as representing the Department of Veterans' Affairs and states support for bill.
210	Sen. Yih	Asks if original fiscal analysis of proposed program is accurate.
213	Taylor	States that fiscal impact is being revised.

240	Sen. Baker	Asks if veterans' can presently get specialized license plates without changing the law.
245	Taylor	States that veterans' can get special wording on license plates as other groups currently do, but not specialized digital imaging.
297	Curt Curtis	Introduces himself as representing the Oregon State Police and submits (EXHIBIT D) . Outlines concerns about bill and states opposition to bill.
350	Taylor	States concern that bill may be precedent setting. Comments that some groups may want inappropriate images on license plates.
TAPE 65, B		
025	Sen. Dukes	States concern that program will be funded by trust fund money constitutionally mandated to be used for road and bridge maintenance. States support for consulting with the Oregon Attorney General's Office to determine constitutionality of program.
030	Sen. Baker	States support for Sen. Duke's proposal.
098	Chair Shannon	Asks if ODOT has considered the issue of constitutionality relating to program.
102	Taylor	States that ODOT is concerned that program may be unconstitutional, but that they have not discussed the issue with the Attorney General's office.
125	Chair Shannon	Closes public hearing on SB 372 and opens public hearing on SB 1099.
<u>SB 1099</u> <u>PUBLIC</u> <u>HEARING</u>		
130	Sen. Susan Castillo	Introduces herself as representing Senate District 20 and submits (EXHIBIT E) . Explains bill and states support for bill.
170	Sen. Dukes	States concern about issue of constitutionality relating to program funding.
192	Sen. Yih	Asks why license plates will cost 32 dollars.
194	Sen. Castillo	Explains funding mechanisms of program.
242	Dutch Baughman	Introduces himself as the Athletic Director for Oregon State University (OSU) and states support for bill. Discusses Title IX and associated scholarships offered at OSU.
284	Sue Poorman	Introduces herself as past president of the OSU Beaver Club. States support for bill. Discusses Title IX and lack of scholarships offered under Title IX. Comments that OSU sports programs could greatly use funds.
340	Scott Spiegelberg	Introduces himself as the Executive Director of the OSU Beaver Club and states support for bill. Discusses other state programs similar to proposal.
TAPE 66, B		

008	Kirk Bailey	Introduces himself as representing the University of Oregon (UofO) and submits (EXHIBIT F) . Explains need for program and states support for bill. Discusses fiscal aspects of bill.
050	Kathie Bedbury	Introduces herself as representing the UofO and states support for bill. Discusses similar programs currently in place in other states.
103	Matthew Scotten	Introduces himself as representing the UofO and submits (EXHIBIT G) . Explains need for bill and states support for bill.
118	Bedbury	Discusses similar program in place at the University of Arizona.
132	Sen. Yih	Comments on fiscal aspect of program and asks what program will cost.
135	Bailey	Discusses program advertising issues and outlines funding mechanisms of program.
175	Bedbury	Discusses advertising and revenue aspects of program.
185	Chair Shannon	Discusses DMV programs in Arizona.
255	Sen. Yih	States concern about constitutionality of proposed program.
264	Lin Ludwick	Committee Administrator submits (EXHIBIT H) for the record.
267	Chair Shannon	Closes public hearing on SB 1099 and adjourns meeting at 3:00 PM.

Submitted By, Reviewed By,

Paul Zolezzi, Lin Ludwick,

Administrative Support Administrator

EXHIBIT SUMMARY

A - SB 1111 written testimony, Mark Ford, 5 pp.

B - SB 372 written testimony, Richard Lucht, 10 pp.

C - SB 372 and SB 1099 written testimony, Kelly Taylor, 19 pp.

D - SB 372 written testimony, Curt Curtis, 2 pp.

E - SB 1099 written testimony, Sen. Susan Castillo, 2 pp.

F - SB 1099 written testimony, Kirk Bailey, 1 p.

G - SB 1099 written testimony, Matthew Scotten, 3 pp.

H- SB 1099 written testimony, staff, 2 pp.
