

HOUSE COMMITTEE ON
GENERAL GOVERNMENT AND REGULATORY REFORM
SUBCOMMITTEE ON TRANSPORTATION

Hearing Room
Tapes - 6

MEMBERS PRESENT:

Rep. Cedric Hayden, Chair
Rep. Jerry Grisham
Rep. Bill Markham
Rep. Ken Strobeck

MEMBER EXCUSED: Rep. Lonnie Roberts, Vice-Chair
Rep. Mike Lehman

VISITING SENATORS: Sen. Ken Baker
Sen. Dick Springer
Sen. Mae Yih

STAFF PRESENT:

Anne Tweedt, Committee Counsel
Annetta Mullins, Committee Assistant

MEASURES HEARD: HB 2481 - Public Hearing and Work Session
HB 2229 - Public Hearing and Work Session
HB 2361 - Public Hearing and Work Session
SB 96 - Public Hearing and Work Session
SB 123 - Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

THIS MEETING IS CONVENED IMMEDIATELY FOLLOWING THE JOINT MEETING OF THIS SUBCOMMITTEE AND THE SENATE COMMITTEE ON TRANSPORTATION.

008 CHAIR HAYDEN: Calls the meeting to order at 2:44 p.m. and opens the public hearing on HB 2229

HB 2229 - PUBLIC HEARING

015 ANNE TWEEDT, COUNSEL: Reviews staff measure summary on HB 2229 (EXHIBIT A)

030 BRAD SWANK, State Court Administrator's Office: Submits and summarizes

a prepared statement in support of HB 2229 and proposing amendments (EXHIBIT B).

072 CHAIR HAYDEN: Are you saying that ORS 153.540 says the fines go into the General Fund?

MR. SWANK: Explains how fees are distributed.

089 MR. SWANK, In response to a question from REP. STROBECK: Explains that when the state took over funding of the courts in 1983, they made arrangements with local governments that fine moneys from traffic offenses would be split between the jurisdiction of the citing office and the jurisdiction of the court where the offense was heard. Other moneys generally are not split that way as they come from the courts. They are statutorily decided. That is probably why Legislative Counsel's office included that provision. It is not a provision in current statute and we ask that the last sentence be deleted so the money can continue to be counted as it is currently.

104 CHAIR HAYDEN: Closes the public hearing on HB 2229 and opens the public hearing on HB 2481.

HB 2481 - PUBLIC HEARING

Witnesses: Don Miner, Oregon Manufactured Housing Association
Ray Gribling, Oregon Automobile Dealers Association

110 MS. TWEEDT: Reviews the Preliminary Staff Measure Summary (EXHIBIT C)

118 DON MINER, Executive Director, Oregon Manufactured Housing Association: Submits and summarizes a prepared statement in support of HB 2481 (EXHIBIT D).

135 RAY GRIBLING, Oregon Automobile Dealers Association: I have nothing to add to Mr. Miner's testimony, other than we support this.

132 SEN. YIH: Is there a reciprocal agreement that if Oregon licensed dealers attend a show in Washington, they would not have to have a Washington license?

142 MR. GRIBLING: I am not aware of a reciprocal agreement, but I have heard no complaints from any of the Oregon dealers that they can't get into another state.

MR. MINER: I am also unaware of whether there is or isn't such an agreement. But as a practical matter, the shows are being held in Oregon and not in Washington.

179 SEN. YIH: Should we charge them a temporary license for a few days?

181 MR. GRIBLING: I don't think it would be justified. And they are paying Washington fees.

190 MR. MINER: I don't think it would be justified; the administrative burden would be too much.

195 REP. STROBECK: If they had a booth with brochures and did not display a car, would there be an issue?

197 MR. GRIBLING: There would not be an issue if they just had a booth.

201 REP. STROBECK: I know Mr. Miner's organization is the manufactured homes. Is that why manufactured homes are specifically mentioned rather than also boat and RV shows?

208 MR. MINER: It is because we helped prepare the language, but the issue is identical whether it is an RV, car, motorcycle or snow mobile show.

213 CHAIR HAYDEN: Closes the public hearing on HB 2481 and declares the meeting in recess from 3:00 p.m. to 3:19 p.m.

THE SENATE MEMBERS LEAVE THE MEETING.

HB 2361 - PUBLIC HEARING

Witnesses: Ray Gribbling, Recreation Vehicle Industry Association
Steve Johnson, DMV

218 MS. TWEEDT: Reviews the Preliminary Staff Measure Summary and proposed amendments (EXHIBIT E).

237 RAY GRIBBLING, Recreation Vehicle Industry Association: Submits a prepared statement and a chart on maximum allowable lengths for RVs (EXHIBIT F), testifies in support of the bill proposes amendments to add back the language in the current bill on page 2, line 37, "when operating on Group 1 or Group 2 highways as designed by the department".

271 STEVE JOHNSON, DMV: We did not support the original bill, but we do support it with the -1 amendment as long as it has the Group 1 and Group 2 highway designation in as the existing law. The wording for the Group 1 and Group 2 only needs to be put in where the combination of vehicles is, the last sentence of the bill.

286 CHAIR HAYDEN: Closes the public hearing on HB 2361 and opens the public hearing on SB 96.

287 SB 96 - PUBLIC HEARING

Witnesses: Paul Donheffner, State Marine Board

289 MS. TWEEDT: Reviews the Preliminary Staff Measure Summary (EXHIBIT G).

301 PAUL DONHEFFNER, Director, State Marine Board: Submits a prepared statement and testifies in support of SB 96 (EXHIBIT H) .

354 REP. STROBECK: I believe it says if you do give moneys to a private marina, they are required to offer their services to the public. Is that correct?

MR. DONHEFFNER: That is correct. We would not be making the funds available to a private facility unless they gave assurances that the facility would be available to all members of the public.

361 REP. STROBECK: Would they pump out their holding tanks for free? Or could the marinas levy a charge for that?

363 MR. DONHEFFNER: The federal guidelines for the program do allow the charging of a small fee to recover the cost of maintenance and upkeep of the stations. The federal guidelines cap that fee at a maximum of \$5.00, I

believe, for a service charge. If we enter into an agreement with a private marina, that would be a part of the agreement--accessibility, hours

of operation and fees.

372 REP. STROBECK: Would they also be required to have some sort of signing indicating a disposal facility was available?

374 MR. DONHEFFNER: The success of this program is in publicizing the availability of pump-out stations, through signs as well as facility guides and guides to boaters to let them know where the facilities are available. We would endeavor to do that through out boaters handbook, our boating facility guide and through a separate marina guide that will show the location and distribution of the facilities across the state.

389 REP. MARKHAM: What control do you have over private marinas?

MR. DONHEFFNER: In general, we have no control. We don't regulate private marinas. This would be a new partnership with private facilities.

402 CHAIR HAYDEN: Closes public hearing and opens work session on SB 96.

404 MOTION: REP. MARKHAM moves that SB 96 be sent to the Full Committee with a DO PASS RECOMMENDATION.

417 VOTE: In a roll call vote all members present vote AYE. REPS. LEHMAN AND ROBERTS ARE EXCUSED.

422 CHAIR HAYDEN: Declares the motion passed. Chair Hayden will carry the bill to the Full Committee.

TAPE 6, A

007 HB 2481 - WORK SESSION

005 CHAIR HAYDEN: Opens a work session on HB 2481.

008 MS. TWEEDT: Reviews provisions of the bill.

013 MOTION: REP. STROBECK moves that HB 2481 be sent to the Full Committee with a DO PASS RECOMMENDATION.

014 VOTE: In a roll call vote, all members present vote AYE. REPS. LEHMAN AND ROBERTS ARE EXCUSED.

017 CHAIR HAYDEN: Declares the motion PASSED. REP. ROBERTS will carry the bill to the Full Committee.

019 CHAIR HAYDEN: Closes work session on HB 2481 and opens work session on HB 2229.

020 HB 2229 - WORK SESSION

MS. TWEEDT: Explains the provisions of HB 2229 and that the Judicial Department asked for an amendment on page 1, in line 10, after the period, delete the rest of the line and lines 11 and 12.

038 MOTION: REP. GRISHAM moves that HB 2229 be amended on page 1, in line 10, after the period, delete the rest of the line and lines 11 and 12.

039 VOTE: CHAIR HAYDEN, hearing no objection to the motion, declares the amendments ADOPTED. REPS. LEHMAN AND ROBERTS ARE EXCUSED.

040 MOTION: REP. GRISHAM moves that HB 2229, AS AMENDED, be sent to the

Full Committee with a DO PASS RECOMMENDATION.

047 VOTE: In a roll call vote, all members present vote AYE. REPS. LEHMAN
AND ROBERTS ARE EXCUSED.

049 CHAIR HAYDEN: Declares the motion PASSED.

056 CHAIR HAYDEN: Closes the work session on HB 2229 and opens the work
session on HB 2361.

060 MS. TWEEDT: Explains the provisions of the bill and that the proposed
amendments provide that a recreational vehicle may be 45 feet long provided

the combination does not exceed 65 feet. Also DMV and the RV association
proposed adding the Group 1 and Group 2 highway language back into the
bill.

073 MOTION: REP. STROBECK moves that the HB 2361-1 amendments with the
addition of the language when operating on Group 1 or Group 2 highways as
designated by the department at the end of line 9 BE ADOPTED.

077 VOTE: CHAIR HAYDEN, hearing no objection to the motion, declares the HB
2361-1 amendments, as amended, ADOPTED.

079 MOTION: REP. STROBECK moves that HB 2361, AS AMENDED, be sent to the
Full Committee with a DO PASS RECOMMENDATION.

083 VOTE: In a roll call vote, all members present vote AYE. REPS. LEHMAN
AND ROBERTS ARE EXCUSED.

086 CHAIR HAYDEN: Declares the motion PASSED. REP. STROBECK will carry the
bill to the Full Committee.

089 SB 123 - WORK SESSION

The Preliminary Staff Measure Summary, employee cost data and Legislative
Fiscal Analysis are hereby made a part of these minutes (EXHIBIT I).

093 CHAIR HAYDEN: I have asked Legislative Fiscal to redraft the fiscal
analysis of this to delete the language saying there will be three
full-time employees. The bill will not change. The current fiscal
analysis says there will be three more FTE; the new Fiscal Analysis will
delete that.

102 MS. TWEEDT: Explains the provisions of the bill.

108 REP. GRISHAM: Are we then authorizing the action, but you are deleting
the request for the three full-time employees?

110 CHAIR HAYDEN: I am not amending the bill. The new Fiscal Analysis will
be at the Full Committee.

113 MOTION: REP. MARKHAM moves that SB 123 be sent to the Full Committee
with a DO PASS RECOMMENDATION.

115 REP. STROBECK: I recall discussion about the work load coming at one
part of the year and this was an effort to level it out. I would also
like, perhaps at the Full Committee level, to have some assurance from PUC
about how they plan to level that work load.

123 GREGG DEL PONTE, Administrator, Motor Carrier Services, PUC: The

question of leveling the work load is addressed in the language of the bill. On page 1, paragraph 4 says "Each carrier may select the calendar quarter in which the period will begin except that, if necessary for administrative convenience, the commission may require a carrier to adopt a starting date chosen by the commission."

144 REP. GRISHAM: If we continue to add one, two, three or ten or 12 employees at the same time other bills are working their way through the house that try to delete and cut the number of government employees, I wonder if we are working at cross purposes. I would have to vote no until we can address the question of whether it is possible to do the work without adding employees. If not, then I might be required to vote no to make the change.

161 CHAIR HAYDEN: I would probably vote with you if that were the case. It is my understanding that if we vote on the bill with the fiscal analysis I will have prepared for the full committee, there will be no net increase in employees. The bill is neutral on the subject; there is no increase or decrease. It is the Fiscal Analysis that establishes legislative intent to hire three full-time employees and I am revising the Fiscal to remove that legislative intent.

168 VOTE: In a roll call vote, all members present vote AYE. REPS. LEHMAN
AND ROBERTS ARE EXCUSED.

170 CHAIR HAYDEN: Declares the motion PASSED. Chair Hayden will carry the bill to the Full Committee.

170 CHAIR HAYDEN Declares the meeting adjourned at 3:43 p.m.

Submitted by, Reviewed by,

Annetta Mullins Anne Tweedt
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - HB 2229, Preliminary Staff Measure Summary, staff 1 p
B - HB 2229, prepared statement, Brad Swank, 2 pp
C - HB 2481, Preliminary Staff Measure Summary, staff 1 p
D - HB 2481, prepared statement, Don Miner, 1 p
E - HB 2361, Preliminary Staff Measure Summary and HB 2361-1 amendments, staff, 2 pp
F - HB 2361, prepared statement, Ray Gribbling, 2 pp
G - SB 96, Senate Staff Measure Summary, staff, 1 p
H - SB 96, prepared statement, Paul Donheffner, 1 p
I - SB 123, Preliminary Staff Measure Summary, employee cost data and Legislative Fiscal Analysis, staff, 3 pp