

SENATE COMMITTEE ON TRANSPORTATION

February 17, 1993 Hearing Room C 3:00 p.m. Tapes 17 & 18

MEMBERS PRESENT: Sen. Joan Dukes, Chair Sen. Bob Kintigh Sen. Jim Bunn
Sen. John Lim Sen. Tricia Smith Sen. Catherine Webber Sen. Mae Yih

STAFF PRESENT: Ruth Larson, Committee Administrator Shannon
Gossack, Committee Assistant

MEASURES CONSIDERED: SB 98

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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. [--- Unable To Translate Graphic ---]

TAPE 17, SIDE A

003 CHAIR DUKES: Calls meeting to order at 3:20 p.m.

PUBLIC HEARING ON SB 98

Evan Boone, Oregon Pilots Association Sally Plumley, Oregon Aviation Committee Phil Groshong, Civil Air Patrol Betsy Johnson, Oregon Aviation Alliance Keith Petrie, Oregon Ski Industries Norvel Arbogast, NW Trail Riders Robert Greenstreet, Central Oregon ATV Club Bob Meinen, Oregon State Parks and Recreation Arnold Ryland, NW 9 and Dueces Dell Isham, Oregon State Snowmobile Association

010 NORVEL ARBOGAST, NORTHWEST TRAIL RIDERS: Submits and reviews written testimony. (EXHIBIT A)

056 CHAIR DUKES: Would your role as advisory change? 057 ARBOGAST: I don't know. We feel we need some control over the funding.

065 CHAIR DUKES: There isn't anyone else that appoints their own members.

070 ARBOGAST: Maybe the ATV Committee could provide a list of qualified people.

072 RUTH LARSON, COMMITTEE ADMINISTRATOR: Reviews SB 98-3 amendments. (EXHIBIT B)

084 ARBOGAST: We would like to stay with ODOT.

097 ROBERT GREENSTREET, CENTRAL OREGON ATV CLUB: Submits and reviews

written testimony.(EXHIBIT C)

175 CHAIR DUKES: What if appointments were made by the Governor or the Parks Department from lists submitted by ATV.

175 GREENSTREET: I think that would be a good check and balance.
-Concerned that Parks and Recreation is a non-motorized agency.

212 CHAIR DUKES: Explains process this bill has to go through before it becomes law.

214 GREENSTREET: The group I represent is extremely opposed to this bill without some amendments. -If we had our way we wouldn't be transferred to another agency.

238 LARSON: Clarifies ORS 802.360.

248 GREENSTREET: There is nothing in statute that says it has to be an active ongoing thing.

276 ARNOLD RYLAND, N.W. 9 and Deuces: Mixed emotions about SB 98. I think there could be some compromises worked out.

306 CHAIR DUKES: Asks for a list of things that need to be taken care of if the transfer takes place and also some proposed solutions.

313 EVAN BOONE, OREGON PILOTS ASSOCIATION: Supports SB 98-2 amendments. (EXHIBIT D) -Aviation needs to have access into the process. -Concerned that aviation will be overlooked if dumped into ODOT. -Examples of aviation stretching dollars.

TAPE 18, SIDE A

017 SALLY PLUMLEY, OREGON AVIATION ADVISORY: Suggests that legislation not be changed to diminish aviation. -Discussion on inter-modal transportation.

064 SEN. WEBBER: Discusses planning versus daily operations.

069 BILL GROSHONG, CIVIL AIR PATROL: Testifies in support of SB 98-2 amendments. (EXHIBIT D)

093 BETSY JOHNSON, OREGON AVIATION ALLIANCE: Submits and reviews written testimony.(EXHIBIT E)

148 SEN. SMITH: I know how much work you have done and I appreciate it.

156 JOHNSON: We worked hard to make it very inclusive.

163 CHAIR DUKES: Gratifying to see the work you've done over the year.

169 KEITH PETRIE, OREGON SKI INDUSTRIES ASSOCIATION: Submits and reviews written testimony.(EXHIBIT F)

245 CHAIR DUKES: Where are the areas of improvements?

255 PETRIE: On page 59, line 31 of SB 98.

264 CHAIR DUKES: What is the permit money used for?

265 PETRIE: Plowing roads and turn-outs.

270 CHAIR DUKES: Is this a departure from the way money has been spent?

272 PETRIE: Discusses dedicating the money.

277 SEN. SMITH: Discussion on increased users.

287 PETRIE: Explains other agencies that could be involved with this issue. -Discussion on additional snow park permits.

317 CHAIR DUKES: The permits are in statute.

321 PETRIE: At least we know it would get through this way.

325 SEN. SMITH: What does the Winter Recreation Advisory Committee do?

310 PETRIE: Explains the responsibilities of the committee.

331 SEN. SMITH: Does the committee have any authority? It would take additional legislation to get the third permit. How does the committee

feel about this?

343 PETRIE: I haven't talked to them yet.

333 BOB MEINEN, DIRECTOR OF OREGON STATE PARKS AND RECREATION:
-Addresses the ATV sections of SB 98. We support the transfer of

programs. -Recreation programs should be within the recreational agency of the

state and that is a policy issue. -Discusses current law regarding recreation. -We would support existing advisory committees. -We need a good state trail plan that addresses facilities and how those funds should be allocated to the state. -Supports ATV committee recommending an individual for the commission.

-Discusses budgeting issues. -We would be open to an amendment that considers the 24 hour permit. -We would be opposed to taking out the parking lot development issue.

TAPE 17, SIDE B

041 CHAIR DUKES: As long as it's on a state highway ODOT has the capability of using highway trust fund money to build a parking lot.

044 MEINEN: I like being pro-active about things.

058 SEN. KINTIGH: Asks about the snow plowing issue.

064 MEINEN: The intent is to not upset the programs that are working fine. -Discusses future possibilities or situations where the Parks would snow plow.

073 SEN. KINTIGH: More cost effective for you to do it than the Highway Department?

075 MEINEN: We could be off on secondary roads not on their plow routes.

077 SEN. SMITH: I'm amazed that you have snow plows. -Does an FTE and money come to you with this proposal. If so, how much?

088 MEINEN: We will get an FTE and some money. This is also proposed in the Governor's budget. 091 SEN. SMITH: IF SB 98 passes how would a person get a permit?

094 MEINEN: The basic process would be the same.

102 SEN. SMITH: Wouldn't you decide those types of things?

106 MEINEN: We think DMV would still be doing this.

110 SEN. SMITH: There would be more places to buy a permit.

113 CHAIR DUKES: What is the advantage of this for you?

116 MEINEN: Discusses advocacy for outdoor recreation users.

132 CHAIR DUKES: One FTE comes with the program. Does ODOT use one FTE currently? Would there be more personnel if this transfer happens?

141 MEINEN: Explains the administration within ODOT/DMV portions of SB 98.

147 SEN. KINTIGH: How will you get around the prohibition of use of motor vehicles specifically forbidden in statute?

152 MEINEN: We have an advisory committee that responds to that law. -The door should be open to talk about all types of bills. -If an area is dedicated a recreational trail for off-road vehicles that the current law does not prohibit that. It is dedicated to specific

designated trails for non-motorized use.

155 BOND: Explains the recreation trail statutes.

165 SEN. KINTIGH: Clear this with Legislative Counsel.

175 SEN. SMITH: Discusses ODOT reimbursement for administering.

187 BOND: Those provisions are in SB 98.

195 SEN. SMITH: Does it set out how much they take off the top?

201 MEINEN: I think that could be addressed when ODOT continues with their review.

208 SEN. SMITH: What is the classification of FTE your getting?

210 BOND: Explains classification of FTE. They would work entirely with ATV, snow-park and snowmobile programs.

218 SEN. LIM: Asks about misuse of funds by any groups.

226 MEINEN: I don't have any knowledge of that. We've never administered this program in the past.

232 CHAIR DUKES: In section 108, of SB 98, it doesn't designate that DMV sell the permits.

239 MEINEN: They should be widely accessible to users.

246 CHAIR DUKES: Have you looked at the cost of that?

249 MEINEN: We would have to look into that.

252 CHAIR DUKES: Asks about the availability of permits. -The ATV individuals set up their program and have done an excellent job.

267 MEINEN: We don't want to disrupt that. Base line issue is the definition of recreation. This program could be a valid part of our organization.

290 DELL ISHAM, AUTOMOBILE ASSOCIATION, OREGON STATE SNOWMOBILE ASSOCIATION: Submits and reviews written testimony. (EXHIBIT G)

TAPE 18, SIDE B

006 ISHAM: Continues with review of written testimony. (EXHIBIT G)

009 SEN. YIH: The snowmobile trails are maintained by volunteers? Is it specified in the bill that the fund would be transferred?

014 ISHAM: Yes it does. It doesn't say that the program will continue in the same manner. Seems to be some concern about how funds are going to be used.

023 SEN. YIH: It provides for one FTE to the Parks Department and they will continue to supervise programs and watch contracts. Do you want stronger language so that the function is continued?

030 ISHAM: The present process is not in law. -Concerned that existing contracts will be nullified by passage of SB

98.

044 SEN. YIH: Asks about length of the contracts.

050 ISHAM: We would prefer to stay in ODOT, but we don't want to hold up anything.

059 CHAIR DUKES: Adjourns meeting at 4:57 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

EXHIBIT LOG:

A - Testimony, SB 98, Norvel Arbogest, 1 pg. B - SB 98-3 amendments, staff, 2 pgs. C - Testimony, SB 98, Robert Greenstreet, 2 pgs. D - SB 98-2 amendments, Aeronautics Alliance, 3 pgs. E - Testimony, SB 98, Becky Johnson, 4 pgs. F - Testimony, SB 98, Keith Petrie, 5 pgs. G - Testimony, SB 98, Dell Isham, 7 pgs.