

SENATE COMMITTEE ON TRANSPORTATION

February 24, 1993 Hearing Room C 3:00 p.m. Tapes 21 & 22

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 21, SIDE A

006 CHAIR DUKES: Calls meeting to order at 3:15 p.m.

010 LARSON: Explains background information in committee folders.

044 SEN. KINTIGH: I will be submitting another amendment to SB 98.

PUBLIC HEARING ON SB 98:

Bob Meinen, Director, Oregon State Parks & Recreation Jane Cease, Motor
Vehicle Division John Rist, Oregon Dept. of Transportation Warren
Richards, Oregon Dept. of Transportation

100 JANE CEASE, DMV: Reviews sections 76-77, page 42, of SB 98.

130 CHAIR DUKES: Traffic safety is a critical subject of concern.

133 SEN. SMITH: In subsection 4, line 8, of section 44, of SB 98 the language is confusing in terms of the budget process. The word "appoint" is something I don't understand under this context. -Asks about contract language.

144 CEASE: This is consistent language referring to state employees.

150 SEN. SMITH: Are state employees statutorily hired?

152 CEASE: The Department of Insurance and Finance statutes are similar.

156 SEN. SMITH: Is this different from personnel rules?

164 CEASE: Continues with review of sections 78, of SB 98.

176 CHAIR DUKES: Get the traffic safety issues worked out. -Suggests that all safety issues be in one place.

188 CEASE: I don't know specifically what the problems are.

191 CHAIR DUKES: Discussion about the Traffic Safety Program. -Suggests leaving language on page 44, lines 15-17 of SB 98.

225 CEASE: Suggests a meeting with the head of traffic safety.

228 CHAIR DUKES: My perception is that the head of traffic safety isn't the road block.

231 CEASE: Am I the roadblock?

235 CHAIR DUKES: Discussion on transportation safety versus traffic safety.

245 CEASE: We have a unit that deals with driving records and driving privileges, but that is centered around testing and removal of driving

privileges. I'm not aware of a traffic or transportation safety function that Motor Vehicles operates.

267 CHAIR DUKES: Those programs have been identified as existing. Somehow we can't quite get there. -Discusses the motor cycle safety program.

312 CEASE: Continues with review of sections 78-80 of SB 98. -Section 80 of SB 98 is addressed with amendments. -Board or Commission bill.

343 SEN. SMITH: What is the Governor's disposition of the board in SB 98?

249 CEASE: Explains the Governor's proposed plan regarding state boards.

355 CHAIR DUKES: I think the idea is to abolish state boards and allow local people to make the decisions. 362 CEASE: Continues with sections 81-83 of SB 98.

408 CHAIR DUKES: Is there some language in here that abolishes the appropriate divisions?

413 CEASE: Explains provisions for Legislative Counsel in the last section of SB 98. -Continues with review of sections 84-85 of SB 98.

TAPE 22, SIDE A

029 SEN. LIM: What is the difference between a license and an identification card?

034 CEASE: Explains what identification cards are used for and why the program exists.

047 SEN. LIM: So this is personal identification.

050 SEN. YIH: Is that the program that costs \$3.6 million dollars?

052 CEASE: The card with the photograph costs \$3 million.

057 CHAIR DUKES: Does it pay for itself?

060 CEASE: Explains the fee charged for the identification cards. -Continues with review of sections 86-88 of SB 98. -Explains section 89, lines 43, regarding the 1,100 feet. -Continues with review in sections 90-97, of SB 98. -Discusses SB 98-2 amendments. (EXHIBIT A) -Discusses the sections of SB 98 that deal with the ATV account.

276 SEN. SMITH: What is the difference between an account and a sub-account?

279 CEASE: I'm not sure what the difference is.

287 SEN. SMITH: On page 55, of SB 98 it says, "motor vehicle division." I thought that didn't exist.

295 RIST: Clarifies explanation given by Legislative Counsel at last meeting.

317 CEASE: Refers to the editorial section of SB 98. -Continues with review of sections 99 & 100, of SB 98.

369 CHAIR DUKES: Is there any objection from ODOT having ATV groups make up a list of possible members for the Commission?

381 CEASE: It may be have to say "advised by".

391 SEN. KINTIGH: It can't be tied to an organized group or club.

400 CEASE: Taking the advice of groups is fine, but we will need to check with the Attorney General.

415 SEN. SMITH: Asks about responsibilities of committee mentioned in section 100, of SB 98.

420 CEASE: Clarifies committee issue.

423 SEN. SMITH: What is the money for and what is it spent on?

427 CEASE: Trail grooming and some other things.

433 SEN. SMITH: How are trails designated for these vehicles? -Does the committee in section 100, SB 98 have something to do with that? -Asks about the ATV funds. (EXHIBIT B)

TAPE 21, SIDE B

016 WARREN RICHARDS, DEPT. OF TRANSPORTATION: Explains what accounts the money goes into. -Refers to ATV chart. (EXHIBIT B)

030 SEN.SMITH: Does any money go for restoration for damage by ATV users?

034 RICHARDS: Explains current process for approval of projects.

039 CEASE: Clarifies lines 25-27, page 56, SB 98.

047 SEN. SMITH: The voting members look like they all represent user groups. Does the Committee have the authority to say no?

050 RICHARDS: Explains the function of the committee. -We are not spending any money that is not in the law. We will spend no money unless they recommend it. We do retain a veto right.

055 CEASE: Discusses the Oregon constitution in regard to delegation and a non-state employee group.

061 SEN. SMITH: The Commission still has the authority to override.

063 RICHARDS: We have our own administrative guidelines that we have worked out with the Committee. We will spend no money without their consent. It isn't in the law and it is only a guideline.

068 CHAIR DUKES: You told the Committee that you won't ever spend money without their agreement?

070 RICHARDS: That is right. -Discusses budget issues. 075 SEN. SMITH: Maybe we should do this with all user groups. This is a very liberal policy.

076 RICHARDS: We thought this was a dedicated fund and that the intent of the law was to have these people guide us in how the money would be spent in the best way.

080 CHAIR DUKES: Will that same policy apply if they switch to Parks?

083 CEASE: The Director of Parks is here and so is Pete Bond.

088 CHAIR DUKES: Is there some sort of an agreement?

093 BOB MEINEN, DIRECTOR, STATE PARKS AND RECREATION: I'm not sure. -Discussion regarding citizen advisory committees.

134 SEN. SMITH: I have a problem with any advisory committee that a state agency has where there is an agreement that they will never do anything different than what the advisory committee tells them to do.

140 MEINEN: Discusses Task Force on State Historical Committee.

168 SEN. SMITH: It looks like the voting members represent user groups. -Discusses off-trail restoration projects.

186 CHAIR DUKES: Asks for a list of projects that have been funded over the last four years.

191 CEASE: Statute 802-140 doesn't say for maintenance of trails. It says recreation areas.

204 JOHN RIST, OREGON DEPT. OF TRANSPORTATION: Submits and reviews outline of accounts.(EXHIBIT C)

238 SEN. SMITH: Which account are we getting rid of?

247 RIST: Explains the Financial Aid Account and Store Revolving Account. Dollars now go into the Suspense Account.

264 SEN. SMITH: Asks for clarification of section 63, of SB 98.

268 RIST: Discusses federal dollars received.

277 SEN. YIH: Clarification on Motor Vehicle Services Motor Vehicle Record account.

274 RIST: Explains the Record Account.

291 SEN. YIH: Why are there two accounts?

295 RIST: It is current law that the Record Account exist.

297 SEN. YIH: Discusses reorganization and efficiency. 290 RIST: I would have to check with our financial people and law enforcement people.

312 CHAIR DUKES: When they purchase the records it goes into this account then what do you do with the money?

315 CEASE: We recover the costs of providing the records that they have asked for.

328 SEN. SMITH: Why isn't there any reference to the Record Account in SB 98?

333 RIST: That section of law was not amended.

342 CEASE: Our intent was to not make policy changes.

345 SEN. YIH: Asks for clarification regarding interest that is accrued.

350 RIST: The interest goes to the State Highway Fund.

363 CEASE: It is constitutionally required to be part of the Highway Fund, including the interest.

374 CHAIR DUKES: If you ever took any more than you needed into that account it would follow this flow chart. You probably don't ever take in more

than you need.

396 CHAIR DUKES: Adjourns meeting at 4:40 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

EXHIBIT LOG:

A - SB 98-2 amendments, Jane Cease, 3 pgs. B - SB 98 Testimony, Staff, 2 pgs. C - SB 98 Testimony, John Rist, 1 pg.