

Senate Committee on Transportation
February 28, 1991 - Page

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.

Measures Heard
PH:SB 243
WS:SB 72
SB 273

SENATE COMMITTEE ON
TRANSPORTATION

February 28, 1991Hearing Room C
8:00 a.m.Tapes 33 & 34

MEMBERS PRESENT:Sen. Joan Dukes, Chair
Sen. William McCoy, Vice-Chair
Sen. Peter Brockman
Sen. Scott Duff
Sen. Paul Phillips
Sen. Tricia Smith
Sen. Eugene Timms

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

WITNESSES: Phil Groshong, Oregon Wing Civil Air Patrol
Senator Lenn Hannon
Phillip Kollas, Citizen
Paul Meyerhoff, Aeronautics Division
Mike Unger, Motor Vehicle Division
Paul Henry, Public Utility Commission
Tom Lulay, Oregon Department of Transportation
Don Rhodewalt, Covered Bridge Advisory Committee
Senator Mae Yih

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statements made
during this session. Only text enclosed in quotation marks report a
speaker's exact words.
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TAPE 33, SIDE A

008 CHAIR DUKES: Calls meeting to order at 8:15 a.m.

010 RUTH LARSON, COMMITTEE ADMINISTRATOR: Explains SB 243 and SB 249.

PUBLIC HEARING SB 243

025 PAUL MEYERHOFF, AERONAUTICS DIVISION: Submits and reviews written
testimony.

(EXHIBIT A)

-Discusses the aircraft and pilot registration process.
-Discusses the single fee issue.

127 PHILLIP GROSHONG, CIVIL AIR PATROL: Discusses the Civil Air
Patrol.(EXHIBIT B)

191 SEN. PHILLIPS: Asks about the non-profit issue.

202 GROSHONG: Explains the non-profit issue in regard to money from the
federal government.

212 SENATOR LENN HANNON: Supports SB 243.

-Discusses money appropriated through Ways & Means.
-Civil Air Patrol is for all citizens.

304 MEYERHOFF: Explains testimony regarding aircraft registration
fees.(EXHIBIT A)

309 CHAIR DUKES: I don't understand why we don't have one registration fee.

314 MEYERHOFF: Explains history of the registration fee.
-The value of the aircraft was used to determine the registration.

363 CHAIR DUKES: The cost of operating is not going to vary by the age of an
aircraft.

372 MEYERHOFF: Discusses how the revised schedule would work.

395 LARSON: Explains proposed amendment to SB 243.(EXHIBIT C)

410 SEN. TIMMS: Is there an association that you run these changes by? What input do you have from people out there flying airplanes?

418 MEYERHOFF: Explains the contacts the division has had with aviation groups in regard to SB 243 and SB 249.

TAPE 34, SIDE A

019 SEN. TIMMS: Is this fee increase taking care of your current lack of funding?

023 GROSHONG: The money from last year was used for routine on-going maintenance. We do not get money directly from the Air Force. We use the remainder of their budget for training runs. Last year they reimbursed us about \$55,000.00. This year they are saying they will only be able to give us \$15,000.00. We feel \$30,000.00 would be a good dollar amount for us.
-Discusses training missions.

043 SEN. TIMMS: Do we still have money in the General Fund for the Civil Air Patrol?

046 MEYERHOFF: We don't use General Funds for Civil Air Patrol. Aeronautics is looking at being able to help with the need for additional money.

052 SEN. TIMMS: So this proposal would take Civil Air Patrol out of the General Fund.

060 GROSHONG: This is a shift away from General Fund money.
-I am delighted with Mr. Meyerhoff and feel his is doing a wonderful job.

070 CHAIR DUKES: If you take the bill as written and the money that it would raise, how does that compare with what you had last year?

074 GROSHONG: It is about \$1,200.00 more.
-Discusses the process of funding through the Air Force.

088 CHAIR DUKES: How much of lost funding from the Air Force are we making up for?

091 GROSHONG: Air Force money is spent for operating and the state money is used for maintenance.

095 CHAIR DUKES: So you may have very well maintained equipment that can't get off the ground.

108 SEN. MCCOY: Do you think that the Air Force is trying to phase this out altogether?

111 GROSHONG: It indicates to me the Desert Storm took all of their money. The Civil Air Patrol is a tiny part of the Air Force.
-Explains the Air Force roll in the Civil Air Patrol.

139 CHAIR DUKES: If we were to go to a single year registration would you pick up more funding? Where would that money go?

143 MEYERHOFF: It would go into maintenance.

146 GROSHONG: We do not have a definitive agreement with the state.
-Discusses Air Force authorized missions.

168 MEYERHOFF: Discusses shifting trends in the aircraft world.
-Explains the growing aircraft industry.

211 SEN. DUFF: Maintenance is going to be doubly important.

214 SEN. TIMMS: How do we encourage aircraft development in Oregon?

226 MEYERHOFF: Discusses ways in which aircraft development could be promoted.

234 PHILIP KOLLAS, CITIZEN: Submits and reviews written testimony.(EXHIBIT D)

402 SEN. SMITH: Is the Aeronautics Division opposed to your amendment?

413 KOLLAS: I am not sure.

432 SEN. MCCOY: Do you use the radio in any way?

437 KOLLAS: The FAA does not require us to have radio contact; we just stay out of highly used airspace.

453 SEN. MCCOY: On what occasion would you use a paved runway that is not private?

TAPE 33, SIDE B

020 KOLLAS: I don't know anyone that uses them on a regular basis. They may need to stop at a paved runway for fuel.

033 CHAIR DUKES: What happens if you go down in your ultralight? Does the Civil Air Patrol come out and rescue you?

039 KOLLAS: I'm not sure.
-Explains the FAA definition of an ultralight.

073 CHAIR DUKES: If we adopted your amendment we would need language concerning the definition of an ultralight.

078 KOLLAS: I am not sure about that. I think we can use the federal definition.

087 CHAIR DUKES: Asks for clarification on the definition of an ultralight.

094 SEN. BROCKMAN: How far can you go in an ultralight?

097 KOLLAS: If I coasted a landing and ran the tank dry I could go about 80 to 100 miles.

105 SEN. DUFF: Do you benefit from the Civil Air Patrol?

109 KOLLAS: I am sure that anyone rescued by them would be delighted, but I am not aware of any ultralight rescues.

114 SEN. SMITH: Do you file flight plans when you go up? Basically, nobody knows your out there.

128 MEYERHOFF: Pilots are not required to file a flight plan.
-I have not had the opportunity to discuss this issue with the ultralighters.
-Discusses FAA rules versus state rules.
-Explains the issue of money in regard to the registration of ultralights.
-They are minimal users but they do use the system.
-Discusses search and air rescue.

202 SEN. SMITH: Do you think the federal definition requires you to exempt ultralights? Do hunters pay any portion for Civil Air Patrol?

234 MEYERHOFF: The air search and rescue is to conduct a search for anyone that is lost.

243 SEN. SMITH: It is a service for anyone provided by the pilots of Oregon.

253 CHAIR DUKES: I would like clarification on a couple of issues before we go on with this. The bill will be rescheduled.

WORK SESSION SB 72

299 MIKE UNGER, MOTOR VEHICLE DIVISION: A person who receives a second conviction for DUII will receive a lifetime suspension, even if they complete diversion. This also applies to the commercial drivers license.
-Discusses temporary permits.

320 PAUL HENRY, PUBLIC UTILITY COMMISSION: We support the inclusion of the violation of an out of service notice as a serious traffic offense.

327 SEN. MCCOY: Why do you support this?

330 HENRY: Describes what an out of service violation is.
-Discusses the Commercial Vehicle Safety Alliance.

380 MOTION: SENATOR PHILLIPS MOVES SB 72-4 AMENDMENTS TO SB 72.

VOTE: IN A ROLL CALL THE MOTION CARRIES WITH SENATORS MCCOY, TIMMS, DUFF, BROCKMAN AND PHILLIPS VOTING AYE AND SENATORS SMITH AND DUKES EXCUSED.

450 MOTION: SENATOR PHILLIPS MOVES SB 72 AS AMENDED TO THE FLOOR WITH

A "DO PASS" RECOMMENDATION.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES WITH SENATORS MCCOY, TIMMS, DUFF, BROCKMAN AND PHILLIPS VOTING AYE AND SENATORS SMITH AND DUKES EXCUSED. SENATOR DUKES WILL CARRY THE BILL.

TAPE 34, SIDE B

WORK SESSION SB 273

018 RUTH LARSON, ADMINSTRATOR: Explains SB 273-2 amendments (EXHIBIT E)
Submits
testimony outlining specific issues. (EXHIBIT F)

047 TOM LULAY, BRIDGE ENGINEER, OREGON DEPARTMENT OF TRANSPORTATION
Explains intent of SB 273-2 amendments (EXHIBIT E)

058 SEN. PHILLIPS: If I owned a bridge and it passed the standard
requirements could I exclude
people from walking on it?

062 LULAY: Only if you intended on getting matching state funds.

072 SEN. MCCOY: If it is closed to foot traffic altogether is that alright?

078 DON RHODEWALT, COVERED BRIDGE ADVISORY COMMITTEE: We are trying to
define "public access" and address some of these types of questions.

088 SEN. TIMMS: If we did allow access would you increase liability?

093 LULAY: We didn't think that we wanted to try to legislate privately
owned bridges.

100 SEN. BROCKMAN: Would you object to taking "viewing" out on line 13 of SB
273 -2
amendments, and putting in "as determined by the Covered Bridge Advisory
Committee"?
(EXHIBIT E)

105 LULAY: We do closely examine the bridge and I think we could accomplish
that through the
contract agreement.

113 SEN. SMITH: We want to put in specific language.

127 LULAY: Continues with written testimony. (EXHIBIT E)

172 SENATOR MAE YIH: Clarifies section 6 of SB 273-2 amendments. (EXHIBIT E)

178 SEN. SMITH: That covers both grants and funds.

182 RHODEWALT: On Line 6, page 2, of SB 273-2 amendments after the word
"bridges" there
needs to be a period.

193 LULAY: Continues review of testimony. (EXHIBIT E)

203 SEN. SMITH: Why is there a sunset clause in SB 273?

206 SEN. YIH: There was a concern by the Chair that after four years major
restoration work
should be done. If we need more help with maintenance after that point than
we can come before
you again.

210 SEN. SMITH: Do you think the work will be complete in this time frame?

214 SEN. YIH: That is very hard to tell.

220 LARSON: I consulted with Chuck Wilson in Legislative Counsel and he said
that the repeal dates
are not always the same as the end of a fiscal year. There is probably a
reason for that particular
date in the amendment.

231 SEN. SMITH: I am prepared to pass this out without that amendment.

236 SEN. BROCKMAN: Expresses concern about contradictory language regarding
vehicular traffic.

243 SEN. YIH: Highway money is used only for vehicular traffic.

262 MOTION: SENATOR BROCKMAN MOVES TO DELETE "VIEWING PURPOSES", ON
LINE 1, PAGE 2, OF SB 273-2 AND INSERT "AS DEFINED BY THE COVERED
BRIDGE ADVISORY COMMITTEE", AND ON PAGE 2, LINE 6 OF SB 273-2 AFTER
THE WORD "BRIDGES" INSERT A PERIOD.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

305 MOTION: SENATOR BROCKMAN MOVES SB 273, AS AMENDED, TO THE TRADE
& AND ECONOMICS COMMITTEE WITH A "DO PASS" RECOMMENDATION.

309 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES WITH SENATORS, MCCOY, TIMMS, DUFF, BROCKMAN, PHILLIPS, SMITH AND DUKES VOTING AYE.

317 SEN. YIH: I would like it known for the record that there is a letter of support from the Lane County Commissioners.

325 CHAIR DUKES: Thanks the Department of Transportation for their patience.

Submitted by,

Reviewed by,

Shannon Gossack
Assistant

Ruth Larson
Administrator

EXHIBIT LOG:

A - Paul Meyerhoff, Testimony SB 243, 18 pgs.
B - Phil Groshong, Testimony SB 243, 3 pgs.
C - Senator Dukes, SB 243-1 Amendment, 1 pg.
D - Philip Kollas, Testimony SB 243, 3 pgs.
E - Covered Bridge Advisory Committee, SB 273-2 amendments, 2 pgs.
F - Staff, Testimony SB 273, 1 pg.