

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 & WS: SB 485
SB 762
SB 783

SENATE COMMITTEE ON
TRANSPORTATION

March 28, 1991Hearing Room C
8:00 a.m.Tapes 53 & 54

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: Senator Jane Cease
Senator Bob Kintigh
Richard Holoch, Defenders of Wildlife
Wayne Cobine, State Highway
Marjo Wayne, Darrow-Rock Community
Mike Graine, Dept. of Energy
Senator Wayne Fawbush
Bob Robison, Dept. of Energy
Thurman Smith, Oregon State Grange
Art Laubach, Oregon State Grange
Kate Ferguson, Citizen
Jim Stevenson, Oregon State Police
Michael Eyer, Public Utility Commission

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TAPE 53, SIDE A

010 CHAIR DUKES: Calls hearing to order at 8:15 a.m.

013 RUTH LARSON, COMMITTEE ADMINISTRATOR: Explains SB 485, 762 and 783.

PUBLIC HEARING SB 485

020 SENATOR BOB KINTIGH: Submits and reviews written testimony. (EXHIBIT A)
-Shows video on Adopt-A-Highway program in North Carolina.

145 SEN. SMITH: Discusses litter patrol in the Salem area.

151 SEN. DUFF: What about the kids who are currently employed?

156 CHAIR DUKES: Discusses the Youth Litter Program.

163 SEN. KINTIGH: It would reduce that program some, but I think that we could do a little of both.

168 SEN. MCCOY: Asks about the costs outlined in testimony. (EXHIBIT A)

173 SEN. KINTIGH: That includes the fixed costs of the bags and the cost of hauling it away. We estimate that it would be about half the cost that is stated in the fiscal.

191 WAYNE COBINE, STATE HIGHWAY DEPARTMENT: Submits and reviews written testimony. (EXHIBIT B)

236 SEN. SMITH: Asks about the goals of the Youth Litter Program.

247 COBINE: Explains the goals of the Youth Little Program.
-Adopt-A-Highway programs would be a useful tool along with our Youth Litter Program.
-Discusses areas through-out Oregon where Adopt-A-Highway might be successful.

279 SEN. TIMMS: Why wouldn't outlying areas be involved with this?

284 COBINE: The groups that have been asking for this are in the urban areas, not way out. Most people don't want to work way out in the boonies.

297 SEN. TIMMS: I disagree with that. The people in my district would be willing to do something like this. We take pride in Highway 20 and it would give us a funding base. There is a funding source to take care of it. The youth group is still going to be doing this. We need more people volunteering to take care of our state.

341 COBINE: I know the people of your district would be willing to do this. There seems to be more of a demand in the valley area.

364 RICHARD HOLOCH, DEFENDERS OF WILDLIFE: Submits and reviews written testimony. (EXHIBIT C)

TAPE 54, SIDE A

013 HOLOCH: Continues with written testimony. (EXHIBIT C)

025 THURMAN SMITH, OREGON STATE GRANGE: Testifies in support of SB 485.
-Discusses Oregon State Grange and their community service programs.

049 ART LAUBACH, OREGON STATE GRANGE: Discusses the Oregon State Grange in regard to community action and service.

WORK SESSION SB 485

076 KINTIGH: Discusses clarification of who will pick up the bags.

086 SEN. SMITH: I don't think we should amend the bill to state that the Highway Department needs to pick up the bags since they already do it.

072 MOTION: SENATOR SMITH MOVES SB 485, TO THE FLOOR, WITH A "DO PASS" RECOMMENDATION.

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

PUBLIC HEARING SB 762

122 SENATOR WAYNE FAWBUSH: Submits and reviews written testimony. (EXHIBIT E)

149 SEN. PHILLIPS: This statute is modeled after what is currently administrative rule?

153 FAWBUSH: Yes. When there are this many accidents regarding this particular problem there needs to be something stronger.

159 KATE FERGUSON, CITIZEN: Submits and reviews written testimony. (EXHIBIT F)

253 FAWBUSH: If you don't get to a work session then our office would be more than happy to work with you on this issue.

262 MARJO NELSON, DARROW-ROCKS COMMUNITY ASSOCIATION: Submits and reviews written testimony. (EXHIBIT G)

320 SEN. DUFF: Expresses concern regarding the Oregon State Police budget.

326 JIM STEVENSON, OREGON STATE POLICE: Discusses how SB 762 would impact Oregon State Police.

345 SEN. MCCOY: Is the reason you're not removing vehicles sooner because you don't have enough help?

346 STEVENSON: That is correct.

350 SEN. DUFF: Discusses the lack of patrols in Oregon.

358 STEVENSON: Explains why there are not more patrol cars on the roads.

363 SEN. DUFF: This is a big concern in my area. There is no patrol at night.

368 SEN. SMITH: If you needed to tow a vehicle because it was a hazard and you already had someone on the road would this impact you fiscally?

379 STEVENSON: No not really.

381 FAWBUSH: Discusses the Oregon State Police budget.
-This does not weaken the need for this bill.

TAPE 53, SIDE B

002 SEN. DUFF: I have no doubt that this bill is necessary.

WORK SESSION SB 762

MOTION: SENATOR PHILLIPS MOVES SB 762, TO THE FLOOR, WITH A "DO PASS" RECOMMENDATION.

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

PUBLIC HEARING SB 783

023 SENATOR JANE CEASE: Submits and reviews written testimony.(EXHIBIT H)

069 SEN. MCCOY: Will the new route will go across the bridge?

072 SEN. CEASE: Explains the routes outlined in written testimony.(EXHIBIT H)

075 SEN. DUFF: Asks about radioactive material.

094 MIKE GRAINEY, OREGON DEPARTMENT OF ENERGY: Submits and reviews written testimony.(EXHIBIT I)

110 BOB ROBISON, DEPARTMENT OF ENERGY: Explains ORS 469 in regard to administrative rules and hazardous shipments.

120 SEN. CEASE: The x-ray bi-product is included in the permitted material.

122 SEN. PHILLIPS: Discusses the transportation of x-ray bi-products.

130 GRAINEY: The law does not address that issue at all. This simply deals with the question of routing.

137 CEASE: This bill doesn't deal with anything established in 1981 regarding regulation of the material. This is a route issue.

142 SEN.PHILLIPS: Asks about placards that are required.

144 GRAINEY: The placard is dependent on the level.

147 SEN. PHILLIPS: Will they have to go through new routing procedures?

150 ROBISON: It won't change our process much at all. What this bill does is help the load being carried out of Trojan meet Federal regulations. Ports of entry block the carrier from the route we think, and the federal regulation states, they should be taking.

162 SEN. PHILLIPS: I want to make sure my district isn't going to have to change.

165 SEN. CEASE: There is no intent to go back over routes in Oregon to change them.

173 SEN. PHILLIPS: I don't want the process changed if it doesn't need to be in regard to Oregon routes.

177 SEN. TIMMS: What highways can carry what substances?

182 GRAINEY: The U.S. Department of Transportation has that authority.

189 ROBISON: Discusses what has happened in the development of radioactive material transportation.

198 SEN. TIMMS: Discusses secondary highways in regard to radioactive shipments.

209 SEN. CEASE: This bill does not address those other kinds of materials.

214 GRAINEY: Discusses the states limited authority.

223 SEN. BROCKMAN: In section 2 of SB 783 there is new language deleting railroads.

228 SEN. CEASE: Explains recent federal court decision regarding railroad regulation.

233 SEN. BROCKMAN: Also on line 8 of your testimony the language re-appears.

241 SEN. CEASE: Our intent is not to hold up any movement on material at all.

256 MICHAEL EYER, PUBLIC UTILITY COMMISSION: Discusses the Hazardous Material Transportation Uniform Safety Act.

WORK SESSION SB 783

MOTION: SENATOR PHILLIPS MOVES SB 783-2 AMENDMENTS TO SB 783.

VOTE: HEARING NO OBJECTION THE MOTION IS ADOPTED.

MOTION: SENATOR PHILLIPS MOVES SB 783, AS AMENDED, TO THE FLOOR WITH A "DO PASS" RECOMMENDATION WITH A LETTER TO THE SENATE PRESIDENT TO RESCIND THE SUBSEQUENT REFERRAL TO AGRICULTURE AND NATURAL RESOURCE COMMITTEE.

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

351 VICE-CHAIR MCCOY: Adjourns hearing at 9:35 a.m.

Submitted by, Reviewed by,

Shannon GossackRuth Larson
AssistantAdministrator

EXHIBIT LOG:

A - Sen. Kintigh, SB 485, 5 pgs.

B -Wayne Cobine, SB 485, 2 pgs.
C - Richard Holoch, SB 485, 10 pgs.
D - Thurman Smith, SB 485, 1 pg.
E - Sen. Fawbush, SB 762, 2 pgs.
F - Kate Ferguson, SB 762, 2 pgs.
G - Sen. Cease, SB 783, 4 pgs.
H - Michael Grainey, SB 783, 7 pgs.