

Editorials are written by or approved by members of the Capital Press Editorial Board.

All other commentary pieces are the opinions of the authors but not necessarily this newspaper.

Opinion

Editor & Publisher
Joe Beach
Managing Editor
Carl Sampson
opinions@capitalpress.com | CapitalPress.com/opinion

Our View

A handshake isn't enough anymore

Time was, most business on the farm was done with a handshake. When someone promised to do something, his, or her, word was enough to seal the deal.

No more.

When a farmer or rancher is doing business, the best and only way to try to make sure it won't go sideways is to get it in writing. Landlords are especially susceptible when there are problems because most state and local laws are written to protect tenants.

A case in point involves Jerry and Gloria Wetzel. The Eagle Point, Ore., couple leased some land to a tenant who said he was growing hemp, which is legal.

The Wetzels didn't know he lacked the proper license to grow the crop. Worse yet, he was illegally growing marijuana instead.

The propagation of illegal marijuana is out of control in many parts of the state. Bad actors show up and weasel their way onto land, either claiming to grow hemp or simply squatting on private and public land. They steal water, use illegal chemicals, treat their employees like human chattel and threaten with violence anyone who protests.

It is a worst-case scenario.

That brings us back to the Wetzels, who are both in their 70s. Last June,



Jerry and Gloria Wetzel take a walk on their farm property.

Oregon State Police, armed with a search warrant, showed up at their house. They combed through the couple's personal papers, apparently looking for evidence that the Wetzels were in cahoots with the renter, who was long gone.

It should be noted that the Wetzels apparently did nothing wrong — other than trusting the word of their renter. Because he ran away from his responsibility, the Wetzels are stuck with a \$150,000 fine.

This scenario is becoming more common in Oregon. Jackson County Sheriff Nate Sickler told Capital

Press reporter Sierra Dawn McClain that he is "finding many land leasers have been less than honest with the property owners about what they are cultivating, as well as what permitting and licensing have been obtained."

How did this mess come to pass? Though there is plenty of blame to go around, most of it can be laid at the feet of the state, which has done a wholly inadequate job of controlling illegal marijuana cultivation for years — even before it was legalized through a poorly written initiative passed by an unknowing public.



Capital Press File

A hemp plant. Bad actors say they are growing hemp when they are illegally growing marijuana.

Other growers know who the bad actors are, but for one reason or another don't call the authorities. And the authorities are under-staffed and overwhelmed.

This means it's open season for illegal pot growers, making it that much easier to victimize people like the Wetzels.

The Oregon Legislature has approved funding that should allow the authorities to battle this massive problem. We fear it's a case of too little, too late.

In the meantime, farmers, ranchers and other landowners would do well to skip the handshake when dealing with strangers who want to grow hemp and do a full background check before even talking with them.

Our View

Court correctly strikes down vaccination mandate

The U.S. Supreme Court has stayed the Biden administration's COVID vaccination/testing mandate for large employers.

We agree that the mandate represented an overreach by the federal administrative state and an usurpation of powers that belong to the states.

The 6-3 decision stayed a rule from the Occupational Safety and Health Administration that would have required workers at businesses with more than 100 employees to be vaccinated. As an alternative, companies could have let workers stay on, but only if they wore masks and were tested weekly.

The president was not pleased. "I am disappointed that the Supreme Court has chosen to block common-sense life-saving requirements for employees at large businesses that were grounded squarely in both science and the law."

Justices Stephen Breyer, Sonia Sotomayor and Elena Kagan dissented. They accused the majority of displacing the "judgments of government officials" and "experts."

They called COVID an "unparalleled threat" and said that the Occupational Safety and Health Administration had authority to protect workers from "grave dangers."

The issue before the court was not whether requiring employers to enforce the mandate would serve a legitimate public health purpose. The question was whether OSHA had the legal authority to make and enforce such a rule.

It did not.

In its ruling, the majority said administrative agencies are "creatures of statute."

"They accordingly possess only the authority that Congress has provided. The [Labor Department] secretary has ordered 84 million Americans to either obtain a COVID-19 vaccine or undergo weekly medical testing at their own expense. This is no 'everyday exercise of federal power.' ... The question, then, is whether the [Occupational Safety and Health] Act plainly authorizes the secretary's mandate. It does not. The act empowers the secretary to set workplace safety standards, not broad public health measures."



File photo

The U.S. Supreme Court has ruled that the Occupational Safety and Health Administration does not have the authority to enforce a vaccination/testing mandate for large employers.

The plain language of the Constitution is simple: Congress makes laws, the executive branch carries them out.

But in its quest to pass every more comprehensive and complicated bills, legislators have focused on the big picture and left the details to various cabinet agencies. By leaving too much to the imagination of the administrative state, Congress has allowed unelected bureaucrats to make rules that push federal authority into places it was never intended to go.

We think the Biden rule was ill-conceived, and was not intended to increase worker safety as much as it was a backdoor attempt at a national vaccination mandate for which it knew it lacked legal authority.

After the court's decision, the president called on the states to "do the right thing" and impose their own mandates.

While that would pass Constitutional muster, it is the wrong path to follow.

Businesses should take steps to protect employees. People who are able should get vaccinated. We think the vaccine is the best way to reduce infections and serious illness, but nonetheless we respect the right of informed adults to weigh their own options and decide for themselves.

Governments, state and federal, should do likewise.

Investment in firefighting crucial for stopping fires

Fire season is ever-present on Idaho's seasonal calendar. Last summer's fires arrived with clockwork precision.

In July, a dry thunderstorm, akin to the storm that helped ignite 1910's Big Burn, rolled across Idaho, sparking wildfires. Some fires that may have been extinguished quickly burned unchecked because not enough firefighting resources were available.

Most experts agree extreme fire seasons are likely the new norm. Alongside this increased fire risk, Idaho is growing with more people living near and recreating on forests and rangelands. Unfortunately, with growth comes even more unwanted human-caused wildfires.

Responding quickly and extinguishing wildfires before they spread is more important than ever before.

In 2018 the Idaho Department of Lands (IDL) commissioned an analysis to better understand the investment needed to modernize Idaho's fire preparedness program. The goals: becoming more self-reliant, resilient and able to respond to severe fire seasons more effectively. The Star Fire analysis, completed in 2020, recommended Idaho invest \$2.8 million more in preparedness resources. These findings led IDL to propose additional ground resources, including additional fireline leadership, engine bosses, seasonal firefighters and equipment.

Governor Little is leading direction by recommending a 21% general fund increase for modernizing IDL's firefighting capabilities. Coupled with recent cross-boundary initiatives to tackle much needed for-

GUEST VIEW
Dustin Miller



RESPONDING QUICKLY AND EXTINGUISHING WILDFIRES BEFORE THEY SPREAD IS MORE IMPORTANT THAN EVER BEFORE.

est thinning on federal and private lands, investments in IDL's firefighting program will help ensure a safer Idaho.

Consider what's at risk if we do not increase and modernize our wildland firefighting capacity. IDL's ability to respond quickly to wildfire on the 6.3 million acres we protect will lose ground. Significant investment in reforestation efforts could go up in smoke, and recreational access to endowment lands could be limited.

By grace and hard work by IDL's employees, Idaho's timber protective associations, local fire districts, our federal partners, the forest products industry and many more, we stopped 2021 from becoming the next 1910. Governor Little's FY2023 budget recommendation for modernizing and building firefighting capacity will help us better protect Idahoans and our valuable natural resources from devastating wildfires.

Dustin Miller is director of the Idaho Department of Lands.

LETTERS POLICY

Write to us: Capital Press welcomes letters to the editor on issues of interest to farmers, ranchers and the agribusiness community.

Letters policy: Please limit letters to 300 words and include your home address and a daytime telephone number with your submission. Longer pieces, 500-750 words, may be considered as guest commentary

pieces for use on the opinion pages. Guest commentary submissions should also include a photograph of the author.

Deadline: All letters must be received by noon on Monday to be considered for publication in that week's issue.

Send letters via email to opinions@capitalpress.com.

Emailed letters are preferred and require less time to process, which could result in quicker publication. Letters may also be sent to P.O. Box 2048, Salem, OR 97308.

For more information: For other questions related to the opinion page, contact Carl Sampson, managing editor, at 800-882-6789.