

Executive session rules under review

By HILLARY BORRUD
Capital Bureau

SALEM — Government officials across Oregon could get a clearer idea of when they can meet behind closed doors next year, when the Oregon Government Ethics Commission plans to begin a process to clarify state law on executive sessions.

The Legislature passed a law earlier this year to give the Ethics Commission authority to write administrative rules that will spell out how the state should apply the law on executive sessions. Oregon's open meetings law requires city councils, county commissions and other government decision-making bodies to conduct business in public sessions, with a few exceptions. These include discussions of litigation, real estate transactions and employee discipline.

Ron Bersin, executive director of the Ethics Commission, plans to hire a new employee next month to draft the rules and present a series of proposed rule changes to the commission for approval throughout 2016.

"Really, it's about clarifying the bigger issues that come before the commission," Bersin said.

For example, Bersin said public employees have filed complaints alleging that public bodies such as city councils and county commissions violated the law by failing to provide adequate notice before holding executive sessions to discipline public employees. State law allows public bodies to hold closed-door meetings to discipline or fire employees, but the employees can also request the meeting be held in public.

Public bodies are supposed

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Ron Bersin

executive director of the Ethics Commission

to provide sufficient advance notice for the employee to request an open meeting, according to the attorney general's public meetings manual. However, Bersin said the vagueness of the law on this issue makes it difficult for the Ethics Commission to determine whether a city council or county commission provided enough notice to employees ahead of disciplinary meetings.

Sensitive legal issues

Another section of the law that governing boards and commissions often rely upon

the lawyer is not present.

"These are the things that the statutes don't give great clarity to, and the (attorney general) tries to give some clarity through its publication," Bersin said. "But we hope to give better clarity so that people don't run around with us. This rule making is really an educational effort. It's not an enforcement effort."

News media access

One controversial proposal that never made it into the legislation that authorized the new rules — Senate Bill 294 — would have tasked the Ethics Commission with writing rules on who qualifies as a journalist in Oregon, at least as it pertains to the public meetings law.

Oregon's unique law allows members of the media to attend most executive sessions and during the past

decade, city councilors and other public officials in Oregon struggled to figure out whether to allow bloggers into closed-door meetings. In most states, journalists are excluded from executive sessions along with other members of the public.

During the legislative session, the Association of Oregon Counties also proposed an amendment that would have allowed cities and counties to adopt ordinances to define who qualified as representatives of the media. However, lawmakers did not adopt that amendment and the bill the Legislature eventually passed specifically prohibited the Ethics Commission from adopting rules to define who qualifies as the news media.

The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.

ACCUWEATHER® FORECAST FOR ASTORIA

Astoria 5-Day Forecast

Tonight
Clear to partly cloudy
46°

Tuesday
Mostly sunny
73° / 49°

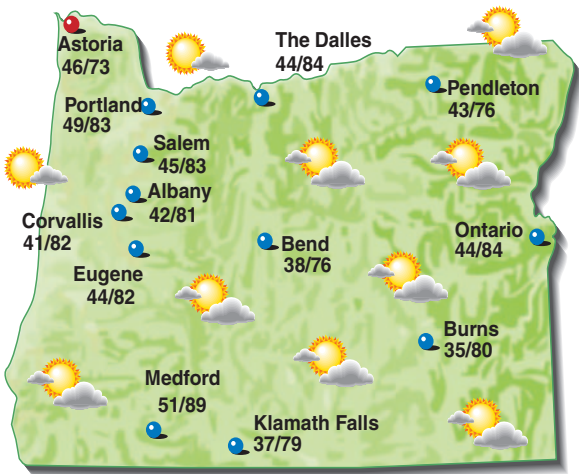
Thursday
Mostly cloudy
66° / 50°

Shown is tomorrow's weather. Temperatures are tonight's lows and tomorrow's highs

Wednesday
Times of clouds and sun
67° / 50°

Friday
Mostly cloudy
67° / 50°

Oregon Weather



Almanac
Astoria through Sunday.
Temperatures
High 68°
Low 39°
Normal high 66°
Normal low 47°
Precipitation
Yesterday 0.00"
Month to date 2.13"
Normal month to date 1.85"
Year to date 31.24"
Normal year to date 39.95"

Sun and Moon
Sunset tonight 7:02 p.m.
Sunrise Tuesday 7:11 a.m.
Moonrise today 7:35 p.m.
Moonset today 7:47 a.m.

Regional Cities

City	Today			Tues.		
	Hi	Lo	W	Hi	Lo	W
Baker City	77	33	s	81	33	pc
Bend	69	38	s	76	41	pc
Brookings	67	51	s	66	50	pc
Eugene	77	44	s	82	47	s
Ilwaco	68	52	s	67	53	s
Klamath Falls	81	37	s	79	35	pc
Medford	89	51	s	89	50	pc
Newport	65	47	s	64	49	s
North Bend	66	49	s	66	51	s

City	Today			Tues.		
	Hi	Lo	W	Hi	Lo	W
Olympia	71	39	s	76	44	s
Pendleton	72	43	s	76	46	pc
Portland	80	49	s	83	52	s
Roseburg	85	50	s	85	51	s
Salem	79	45	s	83	49	s
Seaside	69	48	s	68	51	s
Spokane	71	42	s	73	45	s
Vancouver	78	45	s	81	49	s
Yakima	76	38	s	79	42	s

Under the Sky

Tonight's Sky: The constellation Scutum the Shield is visible in the south this evening. Scutum is above the teapot-shaped constellation Sagittarius.

Tomorrow's Tides

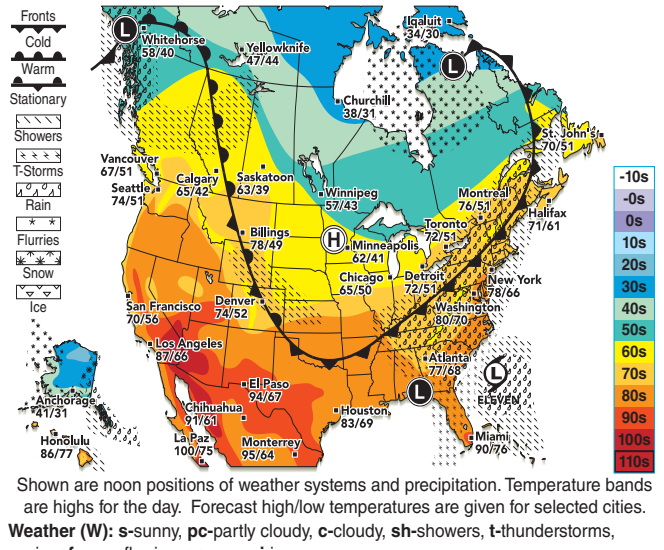
Astoria / Port Docks

Time	High	Time	Low
2:40 a.m.	8.7 ft.	8:47 a.m.	-0.2 ft.
2:50 p.m.	9.4 ft.	9:25 p.m.	-1.3 ft.

National Cities

City	Today			Tues.		
	Hi	Lo	W	Hi	Lo	W
Atlanta	75	69	c	77	68	t
Boston	77	64	s	78	63	c
Chicago	79	59	pc	65	50	pc
Denver	83	52	pc	74	52	pc
Des Moines	84	59	pc	70	47	r
Detroit	80	63	pc	72	51	sh
El Paso	95	65	s	94	67	s
Fairbanks	46	31	sh	33	28	sf
Honolulu	87	76	pc	86	77	sh
Indianapolis	83	66	pc	77	55	t
Kansas City	84	63	s	73	54	c
Las Vegas	100	75	s	100	75	s
Los Angeles	88	65	pc	87	66	pc
Memphis	81	70	c	81	68	t
Miami	89	77	t	90	76	t
Nashville	81	68	pc	77	65	t
New Orleans	83	73	t	86	73	t
New York	80	70	c	78	66	sh
Oklahoma City	87	61	s	87	62	s
Philadelphia	84	71	c	83	66	sh
St. Louis	84	67	pc	83	58	pc
Salt Lake City	83	62	pc	85	63	pc
San Francisco	72	56	pc	70	56	pc
Seattle	69	48	s	74	51	s
Washington, DC	81	70	sh	80	70	sh

Tomorrow's National Weather



Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day. Forecast high/low temperatures are given for selected cities. Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sm-snow, i-ice.

Legislators back in Salem to hold interim meetings

By HILLARY BORRUD
Capital Bureau

Oregon lawmakers will return to Salem to hold interim meetings today through Wednesday and although a controversial hearing on Planned Parenthood has been canceled, people involved still expect several political hot topics to come up for discussion.

Here are a few of the potential highlights:

- **Child welfare and foster care.** Lawmakers will hear from former employees of the foster care agency Give Us Day, after a recent story in Willamette Week about problems at the company's facilities.
- **Medicaid reimbursement rates.** Oregon's reimbursement rates for organizations that serve the state's low-income Medicaid pop-

ulation will drop slightly on average this year, and one of the organizations has already filed a lawsuit against the state over the rate changes.

There's a lot of money involved, and lawmakers want the Oregon Health Authority to explain the rate changes.

• **Energy tax credits.** News reports this summer found the Oregon Department of Energy was allowing energy tax credits to be sold at deep discounts, despite lawmakers' attempts to regulate prices through legislation. Lawmakers have two hearings on the tax credits scheduled next week.

State Rep. Phil Barnhart, D-Springfield, the chairman of the House Interim Committee on Revenue, has criticized the Department of Energy's handling of the tax credits, saying the agency's decision to

quietly allow negotiated sales ignored the clear intent of the Legislature to regulate prices.

According to one person preparing for the hearings, Gov. Kate Brown left the issue in the Legislature's court earlier this month — Brown said in a statement the energy agency would work with the Legislature to clarify handling of the tax credits — and "attention is moving away from how did we get here to OK, we need to clarify where we're going."

• **Untested rape kits.** Oregon received nearly \$4 million earlier this month from the U.S. Bureau of Justice and Manhattan District Attorney Cyrus Vance Jr. to help clear a backlog of 4,700 untested rape kits in the state. Now, lawmakers are also interested in potentially drafting legislation to address the problem in the future.

Public meetings

MONDAY
Port of Astoria Commission, 8:30 a.m., workshop, Log Conference Center (Building 7425), Camp Rilea, 91204 Rilea Oregon Road, Warrenton.
Warrenton-Hammond School Board, 6 p.m., board retreat, Warrenton High School li-

brary, 1700 S.E. Main Ave.
Seaside City Council, 7 p.m., City Hall, 989 Broadway.

TUESDAY
Port of Astoria Commission, noon, special meeting, old Port offices, 422 Gateway Ave.

Death

Sept. 25, 2015
BRUTON, Clifton Scott, 48, of Astoria, died in Astoria. Caldwell's Luce-Layton Mortuary in Astoria is in charge of the arrangements.

Lotteries

OREGON	WASHINGTON
Sunday's Pick 4: 1 p.m.: 8-8-6-3 4 p.m.: 4-5-2-5 7 p.m.: 3-0-7-8 10 p.m.: 1-7-6-5	Sunday's Daily Game: 7-9-0 Sunday's Keno: 02-07-10-11-25-27-28-32-33-34-40-47-52-54-55-56-57-69-74-78 Sunday's Match 4: 05-14-15-24 Saturday's Daily Game: 2-7-3 Saturday's Hit 5: 03-12-15-31-35 Estimated jackpot: \$100,000. Saturday's Keno: 02-03-
Saturday's Megabucks: 11-15-33-34-39-40 Estimated jackpot: \$3.6 million. Saturday's Powerball: 23-31-42-50-57, Powerball: 5 Estimated jackpot: \$267 million. Saturday's Pick 4: 1 p.m.: 1-1-1-7 4 p.m.: 2-2-6-1 7 p.m.: 4-2-6-1 10 p.m.: 8-9-1-4 Friday's Pick 4:	Saturday's Lotto: 01-04-18-23-34-44 Estimated jackpot: \$4.6 million. Saturday's Match 4: 02-12-16-21 Friday's Daily Game: 3-3-9 Friday's Keno: 02-04-09-10-12-15-16-27-30-34-36-43-47-51-54-60-62-68-76-77 Friday's Match 4: 06-14-18-21 Friday's Mega Millions: 03-08-38-51-64, Mega Ball: 4 Estimated jackpot: \$31 million.

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