

Oregon lawmakers rethink biotech pre-emption rule

Bill would allow local governments to regulate biotech crops

By MATEUSZ PERKOWSKI
Capital Press

SALEM — Local government authority over genetically engineered crops is being reconsidered by Oregon lawmakers roughly three years after they prohibited most city and county seed restrictions.

Critics of biotechnology claim that lawmakers haven't enacted meaningful policies for genetic engineering since adopting a 2013 law pre-empting local governments from setting their own seed rules.

The pre-emption bill was included in a broader legislative package that included public employee retirement system reforms that the Oregon Supreme Court later invalidated.

Proponents of House Bill 4122, which would repeal statewide pre-emption specifically for genetically engineered crops, claim local governments should be permitted to prevent cross-pollination between organic, conventional and biotech cultivars.

"In an ideal world, farmers will work together, but in reality, people are stubborn and do as they please," said Jared Waters, a Jackson County farmer, during a Feb. 9 hearing before the House Committee on Consumer Protection and Government Effectiveness.

"Transgenic contamination" is recognized as an economic threat to organic and conventional producers who sell into markets that don't accept biotech traits, according to support-



Capital Press file

GMO Roundup Ready alfalfa is shown in this photo. Local government authority over genetically engineered crops is being reconsidered by Oregon lawmakers roughly three years after they prohibited most city and county seed restrictions.

ers of H.B. 4122.

While opponents of the bill claim that genetic engineering is best regulated at the state level, supporters of H.B. 4122 claim that local governments are in the best position to understand how farmers in their area are affected by biotech crops and restrictions on them.

"You don't have to deal with any of that. This bill puts that decision with the local government," said Elise Higley, director of Our Family Farms Coalition, which supports stronger regulation of biotech crops.

Physical barriers, geographic distances and staggered plantings can prevent cross-pollination among conventional crop varieties and work just as well with biotech cultivars, according to opponents of H.B. 4122.

"Farmers need to work that out among themselves, not by voters at the ballot box deciding what can grow on their own property," said Scott Dahlman, policy director of Oregonians for Food and Shelter, an indus-

try group that opposes the bill.

Lawmakers passed a bill last year that allows farmers of potentially conflicting crops to seek mediation, which the Oregon Department of Agriculture is now in the process of "fleshing out," said Greg Loberg, manager of the West Coast Beet Seed Co. and president of the Oregon Seed Association.

H.B. 4122, by contrast, is meant to give preferential treatment to nonbiotech crops, he said. "It's not about co-existence. It's about exclusion."

Supporters of the bill say they're not opposed to mediation, but claim it's not enough to guard against cross-pollination or compensate for the lack of regulation by the state and federal governments.

However, the idea that rules for biotech crops would vary across county lines is one of the main arguments against H.B. 4122.

"Cities and counties are not equipped to micromanage which crops can and cannot be

grown in the State of Oregon," said Anna Scharf, whose family farms in the Willamette Valley.

Another proposal recently considered by the committee, House Bill 4041, would effectively have reversed statewide pre-emption entirely, not just for biotech crops but for all seeds.

However, that bill will not receive further hearings and would have to be resurrected in a future legislative session, said Shemia Fagan, D-Clackamas, who chairs the committee.

H.B. 4041 was written so broadly that it could have applied to nonbiotech crops, including grass seed, said Marie Bowers Stagg, whose family farms in Lane and Linn counties.

Crop decisions are based on soil conditions, market demand and available equipment but should not be complicated by government interference, she said during a recent hearing on the bill.

"We already have enough risks in our day-to-day life," Bowers Stagg said.

Oregon forecast predicts slow growth in next budget cycle

By HILLARY BORRUD
Capital Bureau

SALEM — Oregon's economists told lawmakers Wednesday the state's economy and government revenues continue to grow at a strong pace as the state rebounds from the recession.

However, the economists warned that growth will slow going into the next two-year budget that begins in mid-2017.

"Oregon's economy continues to grow at a healthy pace, as do our primary sources of tax revenue, keeping up every bit with our expectations we've laid over the last year or two," said state economist Mark McMullen.

Economists expect the government will receive nearly \$61 million more in general fund and lottery revenues in the current two-year budget than they had projected in the last forecast in December, according to a document from the Legislative Revenue Office. The latest forecast is for \$19.5 billion in total state revenues.

At the same time, McMullen said, Oregon is getting close to what economists would consider "full employment" and "that's when we're going to start to see things slow."

Manufacturing vulnerable

McMullen also reiterated a warning from previous forecasts that Oregon is vulnerable to national problems in the manufacturing sector. "It's obvious manufacturing is weak," McMullen said.

McMullen said problems in the stock market that cut into Oregonians' investment income, combined with the stronger exchange rate for the U.S. dollar, will likely weaken state revenue from personal and corporate income taxes in

upcoming budgets.

Oregon's exports from non-technology sectors are slackening, with export growth in the first quarter expected to be nearly 20 percent lower than a year ago, according to a presentation by the state Office of Economic Analysis.

"This is the most depressing number that's out there now, which is the growth in our exports of nontechnology products," said McMullen, who added that this particularly impacted agricultural and food product exports.

Governor cautious

Gov. Kate Brown struck a similarly cautious tone in her statement on the forecast.

"I am pleased to see that job growth is steady and Oregon's economy is likely to remain stable through the remainder of the biennium," Brown said. "Although state revenues are on track to fulfill important commitments in education and other critical services, my optimism is tempered by longer-term dynamics in the forecast that call for caution. I will work with legislative leadership to build reserves for future needs."

Democratic leaders in the Legislature also pledged to maintain state budget reserves and handle the budget prudently.

Republicans concerned

Republicans were more pessimistic.

"Years of one-party rule plagued by overspending and government waste and an assault on small businesses has left us with a bleak economic outlook that needs to be addressed now," Senate Republican Leader Ted Ferrioli, R-John Day, said in a written statement.

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

State House passes bill to raise cap on wrongful death awards

By PARIS ACHEN
Capital Bureau

SALEM — The state House passed a bill Wednesday that raises the cap on non-economic jury awards for wrongful death claims from \$500,000 to \$1.5 million.

State Rep. Joe Gallegos, D-Hillsboro, said he proposed the measure to give victims who have lost loved ones the same opportunities for justice as victims in injury cases for which there is no jury award limit.

After passing the House 33-26 Wednesday, the mea-

sure now proceeds to the Senate.

The legislation stirred up partisan passions on the House floor Wednesday. Republicans accused Democrats of railroading the legislation without giving full consideration of the consequences to rural physicians and others who might have to pay higher liability insurance under the measure.

During the debate, House Speaker Tina Kotek, D-Portland, ordered Rep. Bill Post, R-Keizer, to remove from the floor a poster portraying a \$350,000 check written out to

"Trial Lawyers."

A "yes" vote would be "signing the check," Post said.

Post said he used the visual aid to make a point that the House Committee on Consumer Protection and Government Effectiveness had rejected an amendment to the bill by Rep. Mike McLane, R-Powell Butte, that would have capped attorneys' fees at \$500,000.

The \$350,000 figure was a reflection of how much an attorney would be paid on average on a \$1.5 million jury award, Post said.

Post said the Oregon Trial

Lawyers Association regularly contributes thousands of dollars to Democrat candidate campaigns. The Secretary of State's database reflects that to be true.

Kotek said the visual aid impugned members who were voting in favor of the bill. Republicans challenged her ban on Post's visual aid and called for a vote. Lawmakers supported Kotek's order.

Republican lawmakers said they also opposed the cap increase because it would jack up the cost of liability insurance for already struggling rural physicians.

Rep. Susan McLain,

D-Hillsboro, said the bill would help families like those of Andrew Lane, a 22-year-old laborer who died from carbon monoxide poisoning in 2014 while relieving himself in a bucket in the back of a work truck. Lane's family has filed a \$4 million wrongful death claim in Multnomah County Circuit Court against Lane's employer, Superior Home Maintenance.

A similar bill passed the House in 2009 but died in the Senate, Gallegos said.

Rep. Dan Rayfield, D-Corvallis, and Rep. Brent Barton, D-Clackamas County, who

are personal injury attorneys, declared a conflict of interest concerning the bill but still voted in favor of it. Rayfield is the vice chairman of the House Committee on Consumer Protection and Government Effectiveness.

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Montero leaves Seaside Downtown Development Association

Board to search for replacement

By KATHERINE LACAZE
EO Media Group

SEASIDE — Tita Montero has resigned as the executive director of the Seaside Downtown Development Association.

Her resignation was effective immediately, although she has offered her assistance during the transition.

Sarah Dailey, administrative assistant at the association since last June, is filling in as interim executive director while the nine-member board of directors searches for a replacement for Montero as soon as possible.

"In a small organization, with just two of us, it was just kind of a natural for us to continue working together, me

and the board," Dailey said.

Montero, who serves on the Seaside City Council, became the full-time executive director in February 2015. She replaced Laurie Mespelt, who became executive director in 2007. Montero was the fifth executive director for the association since it started in 1993.

President Ruth Swenson said the board was meeting with Montero on Feb. 1 to discuss general business, and that was when she first presented her resignation. The move came as unexpected to the board.

Montero said the position required a lot of abnormal working hours and brought the kind of stress she does not want in her life right now.

"I've really come to a time where I don't want to be the person in charge," Montero said. "You're basically on call weekends and for events."

She said she plans to "take a breather," which will give her time to pursue other interests and spend time with her mother, sister and brother-in-law who soon are moving to

Prineville.

Although the resignation was immediate, Swenson said, she has continued

conversing and holding conference calls with Montero, who has offered her help until a new executive director is found.

"She put a lot of time into this. We just feel it's only fair that we allow her to gain some of that time back in the next couple of weeks," Swenson said. "When she came to us with this, it was easy enough for us to say, 'Let us make it easy for you. You've done so many things for us.'"

During her year as executive director, Montero helped make the Hot Rod Classic Charity Golf Tournament and Auction Dinner in September a big success for the association.



Tita Montero

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