

No pot plants at state fair this year

Regulatory snafu blamed for absence

By **PARIS ACHEN**
Capital Bureau

SALEM — After last year's high-profile debut of award-winning cannabis crops at the Oregon State Fair, visitors this year may have been surprised by the absence of plants.

"It is extremely unfortunate because 30,000 people came to the state fair last year specifically to see the cannabis display," said Pete Gendron, president of Sungrown Growers' Guild, citing 2016 state fair statistics.

A law enacted by the state Legislature in May was intended specifically to sanction the display of marijuana plants at the annual state fair in Oregon's capital city.

"The bill allows ... compliant licensees to exhibit at trade shows," state Sen. Ted Ferrioli, the bill's co-sponsor, said on the Senate floor in May. "If you remember the 2016 Oregon State Fair ... did have some exhibits. This puts it in statute, allows it and would also specifically designate the state fair a proper venue so long as they maintain full compliance with (Oregon Liquor Control Commission) laws."

Yet the liquor commission, the state's alcohol and marijuana regulator, issued last-minute temporary rules that effectively prevented



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Cannabis products on display at the state fair marijuana exhibit in Salem on Thursday. A regulatory snafu prevented actual plants from being exhibited this year.

organizers from displaying any actual plants.

The rules require organizers to submit an application and receive agency approval for any participant in an exhibit at least 28 days before the event date.

Notice of changes to the application process was sent out Aug. 17, one week before the 10-day state fair kicked off in Salem.

Last year, organizers of the cannabis exhibit displayed plants that had won awards at the Oregon Growers' Fair earlier in August.

This year, organizers displayed cannabis-sourced products from retailers. State rules prohibited any of the products from being sold or consumed at the state fair.

Part of the snafu with exhibiting plants

stemmed from a transition in the authority for regulating the marijuana industry from the Oregon Health Authority to the liquor commission.

"It was a system we weren't familiar with," said Mark Pettinger, a liquor commission spokesman.

Four marijuana exhibit events that preceded the fair were a process of trial and error while the agency refined temporary rules, Pettinger said.

"It would be reasonable to assume if the state fair event is on the books next year and we have a year under our belt for the industry and for us as regulators, it would go a lot smoother and be a lot easier," he said.

Donald Morse, director of the Oregon Cannabis Business Council, which organized this year's cannabis exhibit at the state fair, said being barred from showing plants was disappointing, but it is part of "growing pains" for the industry and for state regulators.

"That is OK because we wanted to highlight what happens after the plants grew and how it was used in edibles and topicals so we have those items on display," Morse said.

Gendron said his guild will work to make sure there is "a robust plant display at the 2018 Oregon State Fair."

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

Attempt to repeal hospital tax appears to miss target

New opinion from Legislature's attorney

By **JEFF MAPES**
Oregon Public Broadcasting

Three Republican state lawmakers thought they were sponsoring a proposed ballot referendum that would eliminate \$333 million in new taxes on Oregon's health care industry.

But the Legislature's top attorney said in an opinion Friday that the bill didn't include all the sections necessary to get rid of a tax on some hospitals.

The bottom line: The referendum appears to fall \$111 million short of its intended goal. The taxes and assessments on hospitals, insurers and managed care providers are part of a bill providing about \$600 million to help pay the Oregon's share of the federal Medicaid program.

About a fourth of all Oregonians are now covered by Medicaid, many as a result of the Affordable Care Act signed into law by former President Barack Obama.

State Rep. Julie Parrish, R-West Linn, is spearheading the proposed referendum to repeal the taxes on health care providers. She disagreed with Legislative Counsel Dexter Johnson's assessment that her plan misses \$111 million.

"We don't believe that," she said. "The only place you're going to determine that is in a courtroom. We would litigate that."

Patty Wentz, who is working with a coalition to protect the taxes passed by the Legislature, said the package does not do what Republicans say it does.

"It's different from what they're telling voters and their donors," Wentz said.

She added that "you have to be really careful" when you're working with health care policy.

Parrish and the other two co-sponsors of the measure — GOP Reps. Sal Esquivel of Medford and Cedric Hayden of Roseburg — need to gather about 59,000 signatures by Oct. 5 to put the measure on the ballot. If they succeed, a special election will be held Jan. 23.

The Republican lawmakers say the Legislature went too far in raising health care taxes and that there are cheaper ways to protect Medicaid funding.

Opponents dispute that, saying each of the new tax dollars will generate about \$3 in federal money. They say the taxes play an important role in ensuring there is enough money to provide services to Medicaid patients.

Johnson, the legislative counsel, said in his opinion that "a very strong case could be made" that GOP referendum would only have the effect of delaying the 0.7 percent hospital tax from Oct. 6 until Jan. 1.

The problem, he said, is that opponents failed to seek repeal of all of the sections of the bill covering that hospital tax.

Ships slowing in busy channel to protect orcas

Study measures impact of underwater noise

By **PHUONG LE**
Associated Press

SEATTLE — Ships moving through a busy channel off Washington state's San Juan Island are slowing down this summer as part of a study to determine whether that can reduce noise and benefit a small, endangered population of killer whales.

The Puget Sound orcas spend summer months in a major shipping channel in the Salish Sea that is critical habitat for the whales.

The trial, led by the Vancouver Fraser Port Authority, is trying to understand whether reducing commercial vessel speeds can reduce underwater noise. Orcas use clicks, calls and other sounds to navigate, communicate and forage mainly for salmon.

Noise and other impacts from vessels is one of three major threats facing the whales. Lack of prey and pollution are the others. They currently number 78.

The two-month trial asks commercial ferries, bulk containers and other commercial vessels to voluntarily slow to 11 knots through Haro Strait. Average vessel speeds typically range from 13 knots for bulk carriers to 18 knots for container ships. The project began in early August and ends Oct. 6.

Nearly five dozen industry participants, including Washington State Ferries and Holland America Line, have formally agreed to slow down when it's feasible and safe, port officials said. Recreational and whale-watching boats are encouraged to slow down as well.

In the first week, about 59 percent of commercial vessels reduced their speed. Participa-



AP Photo/Elaine Thompson
An orca whale leaps out of the water near a whale watching boat in the Salish Sea in the San Juan Islands, Wash., in 2015.

tion increased to about 68 percent in the second week. It dropped to about 55 percent in the third week with stronger tidal currents contributing to concerns about costs and not meeting schedules. On average, 95 commercial vessels transit Haro Strait each week.

"We're certainly very encouraged for that level of participation," said Orla Robinson, program manager for the Enhancing Cetacean Habitat and Conservation program led by the Vancouver Fraser Port Authority.

The program launched in 2014 to bring shipping industry and other groups together to reduce impacts of shipping-related activ-

ities to orcas in the southern coast of British Columbia.

The port is offering \$500 each trip when ships slow down. Earlier this year, it began offering discounted harbor rates for quieter ships and vessels that install technology to reduce propeller and other noise.

"Noise can interfere with these really important functions such as eating, navigating and communicating to stay together as a family group," said Marla Holt, a research wildlife biologist who studies marine mammal acoustics with the Northwest Fisheries Science Center in Seattle.

For undocumented youth, being exceptional is a survival tactic

Anxious over legal status

By **ERICKA CRUZ GUEVARA**
Oregon Public Broadcasting

PORTLAND — At a press conference in downtown Portland's Pioneer Courthouse Square on Friday, undocumented immigrants took turns at the mic, listing their accomplishments like a well-rehearsed elevator pitch.

Bianca Ramirez recently completed her certified nursing assistant program and is working towards becoming a registered nurse. She works two or three jobs at a time, seven days a week, 12-hour shifts. She takes two classes online.

Jhoana Monroy doesn't live off of welfare. She pays taxes and is a mentor who "impacts the lives of thousands of youth every year." She's a mother whose daughters have everything they need because her and her partner provide for them.

Liliana Luna is a master's student in counseling at Portland State University. She dreams of opening her own nonprofit to provide low-cost counseling for families.

"I always have to work two-to-three times harder than what I see other people working for, just to prove my existence," Luna said. "At one point I just prefer sometimes to give up."

But she says giving up is a death sentence. Giving up

means returning to Nuevo Laredo, Tamaulipas, at the border of Texas and Mexico. It means returning to the place where, 12 years ago, her parents decided they wanted and needed a better life. It means returning to the place where drug cartels scared her family out of the country.

The same day the White House announced President Donald Trump's plans to unveil his decision on the fate of the Deferred Action for Childhood Arrivals program, Luna, a DACA recipient, stood before a small crowd of people

at Pioneer Courthouse Square urging people to fight for the only program keeping her in the United States.

To do that, Luna says undocumented immigrants have to constantly justify their right to stay. And that means telling everyone what makes them worthy, deserving of a life in the United States.

"It's emotionally exhausting," Luna said. "We're living with constant threats, with constant depression, anxiety and it's not healthy for us."

Luna says the undocumented community doesn't

really talk publicly about the health effects of living undocumented. But she says a lot of her friends have to go to the doctor or see counselors to deal with the overwhelming amount of pressure that comes from being undocumented. Luna says she has to deal with that, in addition to all the normal stresses that come with being a college student.

The DACA program,

started under President Barack Obama, temporarily suspends deportation for people brought to the U.S. illegally as children. It allows approved applicants to work legally in the United States.

Luna is one of 787,580 people nationwide who have applied for DACA and have been approved. In a January interview with OPB, Luna said that if DACA goes away for

her, she could lose the things she's worked hard for.

"We're here to contribute," Luna said. "We're here to make the United States better."

In front of the crowd of people, Luna said she was there with three of her peers to give a face to the undocumented community.

"We are making America great," she told the crowd. "Again, and again, and again."

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