

OUR VIEW

Governor’s threats are not leadership

Gov. Kate Brown’s disdain for rural Oregon is showing. Brown is considering several legislative vetoes, and all but one target the districts of rural lawmakers who opposed her beloved carbon cap-and-trade legislation, House Bill 2020. The exception is legislation that affects the Oregon Medical Board budget.

The governor’s staff said the potential vetoes are to ensure good policy, not for revenge politics.

Really? This is the governor who only a few days ago, when asked whether she would exact retribution against senators who allowed HB 2020 to die, responded, “revenge is a dish best served cold and slowly.”

Brown announced her potential vetoes on Sunday, which means they could happen late this week. It is astounding that she would consider Oregonians so gullible as to believe her statement that she is aiming at legislation which “allocated public funds without appropriate public accountability measures and without ensuring the responsible use of taxpayer dollars.”

This is the governor who two years ago vetoed \$2.6 million for projects backed by then-Rep. Sal Esquivel, R-Medford, saying she was holding him accountable for breaking a “straightforward agreement” to support the Oregon Health Plan. Esquivel had provided the lone Republican vote in the Oregon House needed for passage of the OHP funding. But he then tried to overturn that funding through a referendum.

At least Brown had the guts to admit her retaliation in her veto letter. The laughable irony is that she began that letter by saying her leadership style was to establish goals and work with others “to achieve these goals collaboratively using the democratic process and without being dictatorial.”



From left, Donna Nelson, Steve Nelson and their daughter, Ellie Eliger, protest a cap-and-trade bill in Salem. Gov. Kate Brown has threatened to veto bills sponsored by legislators who opposed House Bill 2020.

BROWN’S THREAT TO VETO HB 2437 IS A DIRECT ATTACK ON AGRICULTURE ... ONE SPONSOR OF HB 2437 WAS SEN. BETSY JOHNSON, D-SCAPPOOSE, WHO OPPOSED THE AWFUL VERSION OF CARBON CAP AND TRADE FAVORED BY BROWN AND MANY OTHER DEMOCRATS.

Brown backed off vetoing a third Esquivel project after hearing from people in Southern Oregon. Maybe there is a chance she will change her mind this week on the potential vetoes,

Don’t count on it. Brown’s attitude toward rural Oregon came through loudly and clearly in an Oregon Capital Bureau story this week: “That time frame where urban Oregon was dependent on rural Oregon was a while ago,” Brown said. “I would say probably more than four decades ago. So I don’t think we can go back to those times.”

Yes, times have changed. But Brown seems clueless as to how dependent urban Oregon is on the food, fiber, energy, water, recreational opportunities and, yes, the timber and other natural resources

of rural Oregon — not to mention the new data centers and other rural industries.

Brown’s threat to veto HB 2437 is a direct attack on agriculture. Among other things, the bill would make it easier for farmers and ranchers to clear ditches without a state permit and expensive environmental consultation. Of the 90 Oregon legislators, 60 voted for the bill, but some hardcore environmental groups have continued fighting it.

It is important to note that one sponsor of HB 2437 was Sen. Betsy Johnson, D-Scappoose, who opposed the awful version of carbon cap and trade favored by Brown and many other Democrats. Other opponents of that carbon bill included Sens. Cliff Bentz, R-Ontario; Arnie Roblan, D-Coos Bay;

and, although her opposition was not as public, Laurie Monnes Anderson, D-Gresham.

Brown’s potential vetoes target projects in Roblan’s and Bentz’s Senate districts. The projects are contained in HB 5050, the end-of-session “Christmas tree” budget bill that passed the Legislature with only four dissenting votes.

Brown said she was considering a line-item veto of the \$4 million allocated to the city of Newport for work on replacing the Big Creek Dams. Roblan is Newport’s state senator.

The dams are deemed unsafe, but Brown complained that the Legislature had not approved her budget proposals to study the state’s most dangerous dams and create a dam safety task force. She said next year’s Legislature should fund those proposals before “dedicating funds and planning work on any specific dam.”

Her duplicity ignores that HB 5050 also included \$14 million to rehabilitate the Wallowa Lake Dam, an important project and one that she has championed as illustrating her commitment to rural Oregon.

Bentz represents much of Eastern Oregon. Brown said she might veto the \$500,000 in HB 5050 for grants to Eastern Oregon counties for developing economic opportunities outside urban growth boundaries. The grants would complement Senate Bill 2, which Brown signed into law and which was sponsored by Bentz; Sen. Bill Hansell, R-Athena; and Senate President Peter Courtney, D-Salem.

Courtney had angered Brown and environmentalists by announcing — accurately — that the climate change legislation lacked the votes for Senate passage, even though supporters disagreed.

If Brown is trying to teach certain legislators a lesson, it is not one of leadership or statesmanship. Rural Oregon will remember.

OTHER VIEWS

Selected editorials from Oregon newspapers

Medford Mail Tribune, on public records ruling

A retired judge’s ruling in a public-records case is certainly “confusing,” in the words of a newspaper-industry lawyer, but then, so is the statute the judge ruled on. The Legislature should clarify it.

At issue is the request of a West Linn teenager for notes taken during public meetings by a city council member. Rory Bialostosky, a 19-year-old college freshman, wanted West Linn City Councilor Teri Cummings to release the notes she took during council meetings as public records.

Retired Tax Court judge Henry C. Breithaupt, serving as a Clackamas County Circuit judge, ruled orally that the legislators who wrote Oregon’s public records law in the 1970s defined a public body subject to the law as including “every state officer, agency, department, division, bureau, board and commission; every county and city governing body, school district, special district, municipal corporation, and any board, department, commission, council, or agency thereof; and any other public agency of this state.”

The statute uses the term “officer” only in connection with state officials, not local ones, Breithaupt ruled, and therefore the disclosure requirement applies to individuals only at the state level, and only to records kept by councils, commissions and other collective bodies at the local level.

Besides the fact that this is counterintuitive — individual local officials are bound to follow public meetings and other laws governing the conduct of public officials — state Public Records Advocate Ginger McCall says she and “everybody” concerned with public records have interpreted the law to include individual local officials and trained them accordingly.

Jack Orchard, a lawyer who represents the Oregon Newspaper Publishers Asso-

ciation, acknowledged that the statute is unclear, but disagreed with the judge’s conclusion.

“The question is, is that what the legislature really intended?” Orchard told The Oregonian. “From a policy point, I don’t see the distinction.

“What difference does it make if you’re on the state Board of Education versus a member of the West Linn school board?” he asked.

Whether every note jotted down by a city councilor for personal use ought to be automatically public is another matter entirely. Cummings said she sought a narrow ruling pertaining to her notes going back many years, but not to exclude any record a city councilor might create. Breithaupt’s broad ruling raises the possibility of local governments using it to avoid releasing any and all records, not just personal notes.

The Legislature should amend the original text of the statute to make clear that it covers all public officials.

Albany Democrat-Herald, on earthquake warning system

It’s just one step forward, but we were nevertheless delighted to read the news about how the city of Albany has joined a pilot program for an early-warning system that eventually could provide residents and city systems a few vital seconds of warning before a major earthquake hits.

City workers last week installed a sensor in what’s known as the ShakeAlert system. The system is a network of sensors that takes advantage of how energy radiates from the epicenter of an earthquake to provide those precious few seconds — enough time, perhaps, for someone to take advantage of the training they’ve received during the annual ShakeOut drills, and certainly enough time for automated systems to take preparatory action.

Albany officials installed the sensor into the city’s central systems server, the location where city employees already have the ability to remotely close reservoir valves. And, in fact, this use in Albany offers an excellent illustration of how the ShakeAlert system can be used to minimize the amount of damage a big earthquake could cause.

Here’s a brief primer on the science behind the ShakeAlert system:

Quakes produce two types of energy that radiate out from the epicenter: primary waves, which scientists call p-waves, and secondary waves, which are called (you guessed it) s-waves. Primary waves travel faster than the secondary waves and typically don’t cause much destruction. It’s the s-waves, lagging a few seconds behind, that cause the damage.

It’s the gap between the p-waves and the s-waves — sometimes 10 seconds or so, sometimes longer, depending on how far the epicenter is located from ShakeAlert sensors — that offer the opportunity for the early warnings.

The ShakeAlert system could be

extremely useful in preventing what the U.S. Geological Survey calls “cascading failures.” (The USGS has been working to develop and implement the system across the West Coast.) For example, it says, isolating and shutting down utilities before shaking starts could reduce the number of fires that start after a quake. A few seconds of warning could be sufficient to slow trains and taxiing planes, to prevent cars from entering bridges and tunnels or to automatically shut down and isolate industrial systems.

Or, in Albany, it could be enough time to close reservoir valves to allow those reservoirs to retain as much water as possible after the quake. That water could be delivered to residents, if transportation issues can be figured out. Or the water could be used by the fire department to help fight the blazes that often break out in the wake of an earthquake. If the sensor issues a false alarm (this has been a bug in the system in the places in California where the system is operational), it would be an easy matter to reopen the valves.

So the Albany sensor takes its place among the devices that already have been placed in Oregon, but there’s a statewide issue: For the system to be fully operational, experts say at least 75% of the 238 proposed sites in the state need to be installed and running, and we’re not there yet: At the end of this month, about 59% of the sensors will have been installed.

A bill introduced in this year’s Oregon Legislature would have contributed enough state money to the system to have it be fully functional by 2023, but funding specifically designated for ShakeAlert was eliminated during negotiations on the measure — a disappointing and short-sighted result. (And one that you sense legislators already are feeling sheepish about.) The state money would have paid for more than just the sensors; it also would have funded systems to deliver warnings to the public — which, after all, is kind of the point.

The Albany installation brings the system one step closer to critical mass. Legislators next year should take pains to close out the rest of the gap.

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