



Oregon Education Association

Teachers marched in Salem this year for more education funding.

Teachers union latest to push back over pension reform

By **CLAIRE WITHYCOMBE**
Oregon Capital Bureau

SALEM — A third Oregon union says it won't endorse or contribute to primary campaigns for legislators who voted for reforms to the state's costly public pension system earlier this year.

The announcement by the Oregon Education Association, the state's largest teachers' union, on Wednesday followed similar withdrawals this fall by the Oregon American Federation of State, County and Municipal Employees and the Oregon AFL-CIO.

That may put dozens of Democrats, many of whom receive a high share of donations from unions, in a tricky spot.

Labor groups gave about \$3.6 million to Oregon legislative candidates in the two years leading up to the 2018

election, according to the National Institute on Money in Politics, which tracks campaign donations. Overall, state House and Senate candidates raised nearly \$29 million in that election cycle.

Democrats will try to maintain their grip on their large majority of legislative seats they secured last year, that, in theory, allows them to pass tax increases without any Republican votes.

In a statement, Rebecca Levison, the chair of the education association's political action committee, said that Senate Bill 1049 cut "hard-earned benefits for tens of thousands of educators."

"Lawmakers must answer for their votes," said Levison, who teaches English as a second language in Portland. "Educators work hard for our benefits and still make 22% less than folks in the private sector with similar education. We won't spend our hard-

earned dollars to reelect people in the primary who don't understand that."

There is no race for governor next year, but there will be an election for state treasurer, as well as for secretary of state.

State Sen. Mark Hass, D-Beaverton, Rep. Jennifer Williamson, D-Portland, and 2018 Democratic candidate for Congress, Jamie McLeod Skinner, have announced they'll run for the Democratic nomination for secretary of state, making that a competitive primary.

Both Hass and Williamson voted for the pension reforms, which were aimed at saving the state money on employee retirement benefits while it wrestles with billions in pension debt.

The Oregon Capital Bureau is a collaboration between EO Media Group, Pamplin Media Group and Salem Reporter.

Oregon Court of Appeals halts Brown's flavored vaping ban

Ruling applies to tobacco products

By **SAM STITES**
Oregon Capital Bureau

SALEM — The Oregon Court of Appeals on Thursday granted a temporary stay on Oregon Health Authority rules enforcing a six-month ban on the sale of flavored nicotine and medical marijuana vaping products.

The temporary ban against the sale of recreational flavored marijuana vaping products, regulated by the Oregon Liquor Control Commission, remains in force.

The ruling came in response to two petitions for injunctions filed with the court against Gov. Kate Brown and the Oregon Health Authority seeking judicial review of the ban.

Brown had previously issued an executive order directing the agencies to implement the ban.

Canby attorney J. Ryan Adams filed one of those petitions Wednesday on behalf of No Moke Daddy LLC, which operates two e-cigarette shops in downtown Portland under the name Division Vapor.

"We believe the governor overstepped her authority by directing (the OHA and OLCC) to enact this ban," Adams said. "Essentially what we asked the court to invalidate the rule."

According to Adams, his client decided to file for the injunction because they were worried about the employment impacts the temporary ban would have on what they consider a booming industry that employs thousands of Oregonians across the state.

Brown's executive order followed an outbreak of acute lung injuries that are

being tracked across the country and linked to the use of both marijuana and nicotine vape products. As of last week, more than 1,300 cases had been reported with 26 deaths, two of those happening in Oregon.

Last week, the state approved temporary rules that took effect Tuesday that would take all flavored vape products off the shelves of approximately 4,000 retailers across the state.

On their website, Division Vapor had posted a message saying they would be effectively out of business as of Monday, ahead of the ban.

"This is their entire business," Adams said. "One of the requirements to enact an emergency rule is the agency has to state a need for the rule and how the rule meets that need. The OHA stated the need for the rule was based on the governor's executive order, but nowhere in the rule did it say the rule meets the need. That was the basis for us asking the court to stay the rule."

Adams said his client is excited they will get to remain in business.

"The employees of the shop are the biggest winners here today," he said.

The ruling will essentially force the state via the Oregon Health Authority and Gov. Brown's office to prove that the rule hasn't violated state statute in exceeding their boundaries.

Charles Boyle, Brown's press secretary, said in a statement that "the court's decision to enter a temporary stay today is unfortunate due to the ongoing public health threat posed by vaping-related illness."

Boyle maintains that in light of the nationwide outbreak of vaping-related injuries, a temporary ban under the state's emergency

rule-making process is the best path forward available to Gov. Brown and state agencies under Oregon law to protect public health.

"Gov. Brown will continue to work with the Vaping Public Health Workgroup, state agencies, stakeholders, and the Legislature to find long-term solutions that will protect the public health from vaping-related illness," he said. "Gov. Brown continues to urge Oregonians to heed the public health warning of the Oregon Health Authority and to stop vaping immediately."

John Harper owns four tobacco retail stores, including Under the Bridge Smoke Shop in Astoria and Seaside Smoke and Vape Shop.

He said he will have to lay off 20% of his staff as a result of the ban. Harper employs 20 to 25 people in Clatsop County.

"The e-liquids take a lot of labor," Harper said. "They're labor-intensive to manage the customers and educate them so 'yes,' we have extra staff employed just for that sector of our business."

Harper said he began running one employee light after the news broke of the ban because of the subsequent downturn in the market.

"I feel that some of this is a knee-jerk reaction to what's going on," he said. "But the worst thing you can do is ban it and force the profitability onto the open market on the black side where they can buy all these different chemicals and it's not regulated — and that is a tragedy in itself."

The Oregon Capital Bureau is a collaboration between EO Media Group, Pamplin Media Group and Salem Reporter. Nicole Bales of The Astorian contributed to this report.



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