

# Secretary of State Clarno rejects clean energy proposals

By DIRK VANDERHART  
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Bradley W. Parks/Oregon Public Broadcasting

**Secretary of State Bev Clarno has used the 'single subject' constitutional requirement in her rejection of multiple proposed ballot measures.**

their clean air future.”

The two proposals Clarno rejected Thursday, initiative petitions 48 and 49, are seen as a backstop Renew Oregon and its allies can turn to if Oregon lawmakers fail to regulate greenhouse gas emissions next year.

If passed by voters, the measures would require Oregon to source all of its electricity from carbon-free or renewable energy sources by 2045. That's a standard Hawaii and at least six other states have adopted since 2015.

But the petitions also include a number of provisions that opponents argue make them too broad. Both IP 48 and 49 require that construction projects related to the new standards pay a prevailing wage, offer benefits and meet a number of other benchmarks. IP 49 also requires electric utilities to invest in “beneficial electrification programs” that help the state meet its emissions reduction goals.

In comments on the pro-

posals, opponents Willis Van Dusen and Janet Steele said they “include extensive new labor practice requirements likely appealing to members of the proponents’ voting coalition who otherwise might not support the measure.” The provisions violate a constitutional requirement that initiative petitions deal with “one subject only,” they argued.

Clarno evidently agreed, though Vial would not give specifics about her decision.

The rulings mark the second time Clarno has tossed initiative petitions based on her reading of Oregon’s “single subject” requirement.

When she rejected the three forest-related proposals in September, the decision was questioned by both environmentalists and Attorney General Ellen Rosenblum, who made clear she didn’t agree with Clarno’s strict interpretation of the law.

However, when petitioners challenged the decision, a Marion County judge ruled that Clarno was correct. That ruling is being appealed, and

attorneys for the Oregon Legislative Assembly say it could have major implications for Oregon’s legislative process if upheld.

It’s unclear whether Rosenblum’s office agreed with Clarno’s rationale for tossing the clean energy proposals. Vial declined to say Thursday what advice the secretary had received from the state Department of Justice, though he said DOJ attorneys “discussed the matter” with her prior to the decision.

Renew Oregon and its allies were unsparing in their criticism of Clarno’s ruling Thursday, issuing a lengthy release in response.

“Until this election cycle, the single subject rule has rarely, if ever, been used to reject a proposed initiative,” ballot measure attorney Margaret Olney said in the release. “By ignoring the analysis of the Attorney General, Legislative Counsel, the Oregon Supreme Court and inserting an exceptionally partisan review into a previously unbiased process, Secretary of State Clarno is undermining our initiative process and crippling the power of Oregonians to take their concerns directly to the voters.”

Renew Oregon and others filed IP 48 and 49 in early October. They also filed a third petition, IP 50, that would force Oregon to eliminate greenhouse gas emissions from “fossil fuel and industrial sources.” IP 50 is arguably the most potent of the three petitions, and was approved by the secretary of state’s office, Vial said.

# Federal spending plan to include money for rural communities

By JEFF MAPES  
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gram going for another two years, roughly at current levels.

U.S. Sen. Ron Wyden and U.S. Sen. Jeff Merkley on Friday announced provisions to improve infrastructure and jobs in coastal communities in the 2020 federal spending bill that passed both chambers of Congress and is headed to the president’s desk to become law.

“I’m in every county every year, and across rural and coastal Oregon I hear about ways we can create jobs and strengthen communities,” Merkley said. “This bill reflects a lot of those insights, from strengthening the coastal infrastructure to bolstering salmon recovery efforts to more money for communities to hire police officers.”

The bill includes money the Oregon Democrats promoted for small ports, research vessels, salmon management, climate change and other coastal issues.

Wyden told a Portland business conference Monday that the overall 2020 federal spending package includes provisions extending millions of dollars in aid provided through a 2000 law designed to help rural counties battered by declining logging on federal lands.

Since then, about \$3 billion in federal aid has poured into counties around Oregon through the Security Rural Schools and Community Self-Determination Act. But the level of aid has dropped over the years and funding has even lapsed at times. It expired again earlier this year. But Wyden said the new federal spending legislation will keep the pro-

Wyden aides said that should amount to about \$80 million a year to all but five counties in Oregon. In 2018, Oregon counties received \$76.4 million, according to Rocky McVay, executive director of the Association of O&C Counties. That group represents more than a dozen western Oregon counties with timberlands controlled by the federal Bureau of Land Management.

Wyden told reporters at the annual Oregon Leadership Summit at the Oregon Convention Center that he’s working with U.S. Sen. Mike Crapo, an Idaho Republican, on legislation to create a permanent endowment for the counties. That way, counties could reliably plan for how much they expect to receive.

“What Sen. Crapo and I want to do,” Wyden said, “is get these rural communities off what I call the rural roller coaster.”

McVay said the current funding uncertainty has made it hard for county governments to give voters a clear picture of local finances. The federal program expired in both 2014 and 2016, and the counties went for more than a year without the money. They eventually received retroactive payments that helped ease the pain.

McVay said his group is pushing for the Wyden-Crapo legislation, but he said there’s a lot of skepticism about whether it can be done. He said the lawmakers would need to persuade Congress to come up with as much as \$8 billion to fund such an endowment.

# Feds say no protections needed for red tree vole

Found on the North Coast

By MONICA SAMAYOA  
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The U.S. Fish and Wildlife Service has determined the red tree vole does not warrant a listing as threatened under the Endangered Species Act.

The government said the small mammal, found on the Oregon Coast, did not meet the definition of an endangered or threatened species after reviewing the best and most recent scientific data available.

In 2011, it determined the population did warrant listing based on the information provided then.

But after conducting yearly species status assessments, known as a candidate notice of review, the agency decided to reverse its decision based on past and present information.

“What we discovered was a lot of that habitat exists on federal lands and it exists in large blocks,” U.S. Fish and Wildlife biologist Sue Livingston said. That drove her agency’s analysis that tree

voles are able to persist in a couple of larger populations and survive further threats of loss of habitat.

The primary stressors affecting the population include habitat loss and fragmentation due to timber harvest and wildfires.

Center for Biological Diversity endangered species director Noah Greenwald said the species is highly imperiled and needs Endangered Species Act protections.

“Scientists that have been doing decades of research on this species found that it was in trouble in the North Coast and that that population needed protection,” he said. “Fish and Wildlife Service previously determined that it needed protection and

now they have just reversed course.”

This is the first reversal for the red tree vole. Greenwald said his organization will seek to challenge the decision in federal court.

Red tree voles are mouse-sized rodents that live in older conifer trees. They spend most of their time in the forest canopy and typically move quickly between the trees.

The red tree voles are found in Clatsop, Columbia, Tillamook, Washington, Yamhill, Polk, Lincoln, Benton and Lane counties.

The U.S. Fish and Wildlife Service also rejected petitions to extend Endangered Species Act protections to four other species: the Ozark chub (fish), purple-disk hon-

eycombhead (plant), sand verbena moth (insect) and the skiff milkvetch (wildflower).

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