

KITZHABER: The first Oregon governor to resign was LaFayette Grover in 1877

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to resign, and said in an emailed statement that “I was elected to serve the citizens of the state of Oregon and I intend to continue to do so.”

Although gubernatorial turnover is common in some states, only four Oregon governors have resigned in the state’s 155-year history. Nearly all did so in order to accept a different elected or appointed position.

“We’re not Illinois, and we’re not Louisiana,” said Jim Moore, a political science professor and director of the Tom McCall Center for Policy Innovation at Pacific University.

At the same time, Moore acknowledged the ethical questions Kitzhaber now faces are unprecedented for a sitting governor in Oregon. Former Gov. Neil Goldschmidt had been out of office more than a decade by the time Oregonians learned he sexually abused a teenage girl while he was the mayor of Portland.

Kerry Tymchuk, executive director of The Oregon Historical Society, also said Oregon governors resigned for mundane reasons.

“Oregon’s been fairly clean in that respect,” Tymchuk said.

The first Oregon governor to resign was LaFayette Grover, who did so in 1877 after the Legislature appointed him to fill a U.S. Senate seat, according to the National Governors Association. George Chamberlain resigned as governor in 1909, after he won a U.S. Senate seat and Frank Benson, who succeeded Chamberlain, resigned in 1910. Benson resigned due to illness, Tymchuk said. Douglas McKay resigned as governor in 1952 to accept President Dwight D. Eisenhower’s appointment as U.S. interior secretary.

Oregon is one of seven states that do not have lieutenant governors. If there is a vacancy, the secretary of state is next in line, followed by the state treasurer, Senate president and House speaker.

Secretary of State Kate Brown and Treasurer Ted Wheeler are both rumored to be interested in running for governor in 2018.

If the governor were to resign, the secretary of state would only hold the position until the next biennial statewide election.

That means if Kitzhaber were to resign before 2016, Brown would have to decide whether to run in 2016 for the balance of Kitzhaber’s term. If the vacancy occurred after January 2017, the secretary of state elected in 2016 would succeed the governor until Kitzhaber’s term ends in 2018. Brown’s second term as secretary of state will draw to a close in 2016 and she cannot run for a third consecutive term.

That complicated line of succession might be the last thing legislative leaders want to ponder, as they attempt to remain focused on the work of writing bills and budgets.

“The governor is facing serious challenges and he’s hurting,” Senate President Peter Courtney, D-Salem, wrote in a statement Thursday. “I want to be fair. I want to be compassionate. I want to do my job the best I can. I will not speculate on his future. As legislators we need to stay focused on providing money for our schools, taking care of our seniors, tending to our state’s transportation needs and balancing our budget. We have a lot to do and we need to get it done before July. We can’t let anything distract us.”

House Speaker Tina Kotek, D-Portland, issued a similar statement and cited a preliminary inquiry into Hayes and Kitzhaber’s activities by the Oregon Government Ethics Commission.

“This session is off to a productive start,” Kotek wrote. “As the Oregon Government Ethics Commission does its job, we must remain focused on our job as legislators, which is to serve Oregonians by advancing policies that improve people’s lives and strengthen our state.”

BILL: Public hearing on SB 258 will be held Monday at 3 p.m.

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ity Siting Division, did not answer questions Thursday about the bill, but energy department spokeswoman Rachel Wray sent talking points about it. The memo stated the department wants the bill to change state law in order to make it easier to amend a site certificate for an energy plant.

Under Oregon law, according to the memo, any amendment to a plant’s certificate can trigger a complete site review to make sure it complies with all state and local laws “regardless of the scope of the amendment and regardless of whether the amendment request relates to compliance with that specific law or standard.”

The department argued such reviews “would result in a need for increased resources (time and funding) without benefit when amendments have no impact with compliance on a council standard.”

The energy department also wants the bill to codify a 2013 Oregon Supreme Court ruling on Blue Mountain Alliance v EFSC to remove conflicting language in the laws for siting energy facilities. But Wendie L. Kellington, a Lake Oswego attorney representing Windy River and other area farmers, called the court case a red herring in a letter to Umatilla County commissioners. She contended the Supreme Court did its best to interpret what the laws intended and the Legislature is free to clear up misunderstandings, but the Department of Energy is wrong in trying to “set legislative police in a particular way that benefits certain interested parties [at] the cost of others.”

Republican state Sen. Bill Hansell of Athena said

a couple citizens at last week’s town hall meeting in Milton-Freewater told him about SB 258 and their concerns for removing local control.

“I’m opposed to it and the way it’s poorly worded,” Hansell said.

He and his legislative assistant, Brandon Persinger, tracked down all the information they could about the bill and received the department’s talking points. What the department said SB 258 does, Hansell said, does not seem to jive with the actual language of the bill.

Hansell said he went to Sen. Chris Edwards, D-Eugene, chairman of the Senate Committee for Environment and Natural Resources, which planned to hold a public hearing about the bill Wednesday. Hansell said Edwards was under the impression from the energy department there was nothing contentious about the bill.

“This was not on anybody’s radar screen,” Hansell said. “But once we got out the alert, people started looking at it.”

Edwards decided not to squeeze the hearing into an already busy Wednesday, Hansell said, and so he moved it to Monday at 3 p.m.

That will allow county commissioners Givens and George Murdock to be in Salem to testify, along with Mabbott, who also helped draft a letter to Edwards stating the county’s opposition. Hansell said pushing the meeting to Monday should give the legal minds some time could come up with better language to addresses concerns about the bill.

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TAXES: Round-Up pays the property tax out of its operating budget

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that comes from the Round-Up Grounds, with an assessed value of \$5.2 million and tax burden of \$82,122.

The appeal form asks what the county’s assessed value for a property is and what the petitioner thinks it should be. Each time, the Round-Up asked for a value of “0.”

The forms also asks, “Why do you think the value of your property is incorrect?”

The Round-Up gave the same answers each time:

“1. The property is used by a not-for-profit organization for community benefit. 2. The city of Pendleton retains an underlying ownership interest in the property. 3. The assessment exceeds the property’s true market value. 4. The Pendleton School District, via lease, exercises control of the property for a substantial portion of the year.”

A photo of the Umatilla County property assessment form for the Round-Up Grounds.

The *East Oregonian* in November reported the Round-Up made \$278,000 last year, a big boost from the \$115,000 the year before, which records from recent years show is a more typical figure. Culham said the appeals are not because the association cannot pay the taxes.

“We do pay our property taxes,” he said, “And we have exercised our rights just like any taxpayer in questioning the valuation of

the property tax the assessor value the property at.”

The Round-Up pays the property tax out of its operating budget, he said. So if it did not have to pay, the \$107,000 would go toward other operating expenses.

The Board of Property Tax Appeals, or BOPTA, consists of two citizens and one county representative, in this case George Murdock, chairman of the county commissioners. Jolene Meadows of the county’s

Department of Administrative Services is the clerk for the tax appeals board. She explained the board has no power to grant waivers for property taxes but only to settle disputes about property values. She said the county received 84 property tax appeals by the end of 2014 and the county handled 60 cases in-house. Petitioners sometimes withdraw appeals, she said, or the petitioner and an assessor reach an agreement about a property’s value.

The other 24, including the 16 from the Round-Up, will go to the appeals board for public hearings, where the petitioners present their side and assessors theirs. Meadows said the hearing for the Round-Up’s appeals will be in March.

The Round-Up asked for the city of Pendleton’s help to pay its property taxes in 2013. In the end, and defeated by a court ruling, the Round-Up paid.



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