# Melissa Bowerman headed to November trial

PORTLAND (AP) — The trial for a woman accused of sex abuse involving a 17-year-old boy on a track team she coached at a central Oregon high school has been postponed.

*The Oregonian* reports Melissa Bowerman's trial had been scheduled to start Sept. 14 but is now set for Nov. 30. The 44-year-old is charged with sexual abuse, using a child in a display of sexually explicit conduct and luring a minor.

**Bowerman**

Bowerman also faces sex abuse charges in a separate case involving the same alleged victim. The charges were brought after authorities obtained new information. Bowerman pleaded not guilty to those charges Wednesday.

Bowerman is married to Jon Bowerman, the son of Nike co-founder Bill Bowerman. Jon Bowerman previously said he helped his wife coach the Madras High School track team and before that the Condon/Wheeler team.

# Thousands of gallons of oil spilled in Mississippi River

COLUMBUS, Ky. (AP) — Part of the Mississippi River was closed as crews investigated an oil spill caused by the collision of two tow boats, the U.S. Coast Guard said Thursday.

The collision Wednesday evening near Columbus, Kentucky, damaged at least one barge carrying clarified slurry oil. The cargo tank was ruptured, causing thousands of gallons of oil to spill into the river, the Coast Guard said.

No injuries were reported.

The river is closed from mile markers 938 to 922, Petty Officer Lora Ratliff said.

The barge was carrying approximately 1 million gallons, but the breach was only in one area, affecting just one of its six tanks, Ratliff said. That tank holds 250,000 gallons, and Lt. Takila Powell said a little more than 120,000 gallons spilled into the river.

The Coast Guard said it was working with the barge owner, Inland Marine Services, and an oil spill response organization. Inland Marine Services referred calls to its public relations person, Patrick Crowley, who did not return repeated calls seeking comment.

Both tow boat operators had been interviewed by Coast Guard investigators and underwent drug and alcohol testing, but results aren't back yet, Powell said.

It wasn't known how long the river would be closed.

"We are working diligently to try to restore our marine transportation system," Powell said. "We understand that it is vital."

The Coast Guard determined five barges were damaged in the collision, but nothing other than the oil leaked into the river, Powell said.

The tow boats were moored on opposite sides of the river and a long gash was apparent in the smaller vessel. River traffic was backed up on both sides, though it wasn't yet known how many vessels were backed up. By Thursday evening, there was no sign of a large cleanup operation.

Powell said cleanup efforts had started with the barge and that crews put a boom around the ruptured cargo tank to prevent any residual oil from leaking into the river. Cleanup crews Friday will go into the river to try to determine where the oil is, with a goal of trying to recover as much of the oil as possible from the river.

Some oil was recovered from the surface during cleanup operations Thursday, Powell said, but she didn't know how much.

Powell said the oil is thick and has to be heated to be transferred or moved.

"How this type of product typically would react is that when it reaches the water that is of a lower temperature, it would solidify and sink," she said Thursday. "But one of the things that we will be doing tomorrow is trying to determine where that oil has migrated to, to try to determine whether or not it has moved down the river or if it's still in the vicinity of where the collision occurred."

The collision happened in the middle of the river channel near Columbus, Kentucky, late Wednesday, the Coast Guard said. The cause was under investigation. The closure stretched 17 miles south to the city of Hickman.

Powell said it was hard to say how much of the oil was released mid-channel because the barge was eventually pushed up to the bank.

# CREDITS: There has been no repercussions for energy officials

**Continued from 1A**

the intent of lawmakers who wanted to prohibit the practice. The energy agency also gave a competitive advantage to tax credit brokers who knew they could ignore the state's published price rules. The proposed rule change, which would eliminate tax credit price regulations going back to mid-2012, would retroactively legitimize these deals.

Pressure built in recent months for the energy agency to rethink the effort, as the Secretary of State's Audits Division started to investigate and staff at the Oregon Legislature also sought to understand the reasons behind the proposal.

Last week, lawmakers called on the agency to abandon its plan to retroactively change the rules. Rep. Phil Barnhart, D-Springfield, is chairman of the House Committee on Revenue and said in testimony submitted to the Department of Energy that lawmakers wanted to prevent the deep discounts allowed by the agency's chief financial officer Anthony Buckley.

"Unnecessarily large discounts on tax credit sales have frequently been noted as indicative of failure to get the best value for tax dollars, and we have therefore persistently focused on ways to restrict and reduce the low price sale of tax credits," Barnhart wrote. "The conversations we've had and the statutes we've passed demonstrate clearly that we are interested in tax credit programs that do not give outsized payouts to private investors."

In response to the audit, Energy Department Director Michael Kaplan wrote Thursday that the department would allow temporary rules to expire Sept. 18, and "revert to the previous rules until given direction otherwise by the Legislature."

Brown said in a statement that it has "increasingly become clear, the Business Energy Tax Credit program, while developed with the best interests of the state in mind, was not managed to the standard that Oregonians demand and deserve."

She said the administration would work with the Legislature to clarify the rules.

So far, however, there do not appear to be any repercussions for energy officials who allowed people to ignore tax credit price rules. The Department of Energy has not disciplined any employees for allowing people to disregard published price regulations, according to spokeswoman Rachel Wray.

Oregon issues tax credits as an incentive to renewable energy and efficiency projects to help offset capital costs. Recipients can use them to reduce taxes, or sell them to raise cash. Many tax credit recipients are governments and companies that do not owe state taxes, and a majority of business energy tax credits issued from 2006 to 2014 were sold to investors. The Department of Energy issued tax credits worth $968.1 million during that period, and recipients sold $703.6 million worth of those credits, according to an analysis of Department of Energy data by the EO Media Group/Pamplin Media Group Capital Bureau.

In an attempt to ensure the tax credits provide the maximum benefit for the projects they are supposed incentivize, the Legislature passed a law in 2009 that required the Department of Energy to develop formula to set the sales prices of credits. The proposal the Department of Energy abandoned Thursday would have eliminated the formula. The agency already adopted a temporary version of the rule change in March, and Buckley and agency director Michael Kaplan told energy employees to process negotiated price tax credit sales even before the temporary rule change because they planned to make it retroactive.

Kaplan acknowledged in an internal email in February he was also aware of earlier tax credit sales that violated state price regulations.

"This effective date will recognize past activities, but we are not certain at this time how far back this recognition will be," Kaplan wrote in a Feb. 17, 2015, email to employees who oversee the tax credits. Kaplan wrote that he had asked Buckley to research how far back the retroactive rule change should extend.

However, Kaplan and other Department of Energy employees have been unwilling to identify which tax credits were sold for less than the required price. Kaplan did not respond to the EO Media Group/Pamplin Media Group Capital Bureau's request for the results of Buckley's research on the issue. Kaplan did acknowledge in an email that he knew since he was appointed acting director of the agency in May 2014 that people were buying and selling tax credits at larger discounts than allowed under state regulations.

"When I was appointed acting director in May 2014, I recognized the need for the change, but this and other policy and administrative decisions, in my view, needed to be made by a permanent agency director," Kaplan wrote in an email. "When I was appointed agency director in November 2014, I pursued this and other issues that had been identified as needing to be fixed. That's what this comes down to: our agency has a responsibility to improve the way we do our work; if our rules are unclear, we fix them. If our processes need to be better defined, we do that."

Lawmakers will likely learn more about the Department of Energy's actions when they hold interim meetings Sept. 28 through 30. Barnhart asked Oregon's Legislative Revenue Office this summer to review the Oregon Department of Energy's handling of the tax credits and Chris Allanach, a senior economist who works on tax credits, said he expects to present the results of his research on the subject later this month.

As recently as an Aug. 25 public hearing, energy officials appeared determined to implement their retroactive rule change before lawmakers hear the report.

"The Oregon Department of Energy will make the ultimate decision regarding these rules," said Elizabeth Ross, an energy policy analyst who is overseeing the agency's rule change, at the public hearing. "The rules will be effective upon filing for September. We hope to do this prior to the expiration of the temporary rule on Sept. 18, 2015."