

Defend Oregon fined \$94,750 for misplaced ballots

Progressive group takes responsibility for miscommunication, apologizes to 97 voters

By PARIS ACHEN
Oregon Capital Bureau

Defend Oregon, a union-backed political action committee supporting progressive ballot measures, is facing the second largest election penalty in state history for failing to properly submit 97 ballots its canvassers collected from Multnomah County voters on Election Day last fall.

The state Elections Division, part of Oregon Secretary of State Dennis Richardson's office, has assessed a fine of \$94,750 for the elections violations. The maximum fine is \$1,000 per count, and each ballot that wasn't turned in is considered a separate violation.

"In the secretary's view, the harm of not having a ballot counted

is more severe than any other violation of election law," said Steve Trout, state elections director in a letter Tuesday to Defend Oregon directors Becca Uherbelau and Christy Mason.

Trout wrote that neglecting to turn in the ballots was worse than purposeful violations, such as attempting to sabotage an initiative petition and betting on an election.

The failure also harms the "election process and the public's confidence in elections," Trout said.

Uherbelau said in a statement that the organization accepts responsibility for the error.

"Increasing access to the ballot is central to our work at Defend Oregon, so we take this mistake very seriously and sincerely apologize to impacted voters who entrusted us with their ballots," she said.

The Multnomah County Elections Office filed an elections complaint against Defend Oregon after

Uherbelau on Nov. 7 turned in a box of 97 ballots that was found at the SEIU Local 503 Office the morning after the election.

Defend Oregon was collecting ballots from voters who hadn't yet voted and had obstacles to dropping off or mailing their ballot to the county elections office. The practice is legal provided that canvassers turn in the ballots within 48 hours or before the ballot deadline.

Uherbelau said the ballots weren't turned in to Multnomah County by the 8 p.m. Nov. 6 deadline because of a "miscommunication" between two workers.

One worker said he turned in 97 ballots at the SEIU Local 503 Office by 7 p.m. Election Day and told another worker they were there.

That worker, tasked with shutting ballots to the elections office, reported to Defend Oregon leaders not knowing about the ballots, according to Defend Oregon's submission to the state Elections Division responding to the complaint.

"From the very beginning, Defend Oregon has taken responsibility for the mistake during the November 2018 election that resulted in some ballots being turned in late," Uherbelau said Tuesday.

"Throughout the entire process, we have fully cooperated with the Secretary of State's investigation into the matter."

She said she turned in the ballots to the Multnomah County Elections Office once the ballots were discovered. Defend Oregon staffers also reached out to apologize to each voter whose ballot wasn't turned in on time, she said. Staffers and volunteers knew the voters' names from spreadsheets the organization keeps on collected ballots.

She said the organization has changed its ballot-collecting procedures.

"Ballot collection is a vital tool to ensure that Oregonians who might otherwise face obstacles to

turning in their ballots are able to fully participate in our democracy," she said.

Defend Oregon has the right to appeal the penalty to an administrative law judge, but a spokeswoman declined to say whether the organization will appeal.

The fine, if it stands, would be the second largest in Oregon history, said Debra Royal, Richardson's chief of staff.

The largest fine was \$116,000 levied against former state Rep. Dan Doyle for falsifying campaign finance reports in 2002, 2003 and 2004, Royal said.

Doyle, a Salem Republican, also was sentenced to 10 months in jail.

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Snowpack: Levels affect surface water for irrigation

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USDA, said the new snow means the total snow pack for those three basins is now 114 percent of normal levels.

"This storm cycle is promising," she said.

Already a leader in the February report, the Umatilla, Walla Walla, and Willow basins is now tied with the Lake County and Goose Lake water basins for the top snowpack in the state.

But the USDA entitled its press release announcing the February report "Oregon snowpack report leaves much to be desired" for a reason.

The rest of the state hasn't fared as well in building snowpack for its water sources, with many basins struggling to reach three quarters of

normal levels.

Although the local basin's snowpack is riding high at the moment, Koeberle said the region will need more storms like the one in February to maintain its current level.

The National Weather Service's long-term forecast calls for a warmer and drier February, March and April in the Northwest, a trend that Koeberle said would be the worst case scenario.

Warmer and drier weather would deplete the snowpack, Koeberle said, although the day-to-day weather can be difficult to predict this far out.

The region doesn't have to look far back to see what a dry winter can do.

Last February snowpack report for the Umatilla, Walla Walla, and Willow basins was only 67 percent of normal levels.

Going back even further shows a fluctuating pattern. February 2017's snowpack report showed the three basins contained 120 percent of normal levels by the end of January.

And even with all the recent precipitation, the USDA still considers most of Umatilla County "abnormally dry," a step above moderate drought.

But the important factor for irrigators and other users of surface water is how much water will be available once the snowpack melts in the warm weather months.

If Eastern Oregon's snowpack levels ends up where it was at the end of January by the time the precipitation season ends, the USDA anticipates stream flows will be 60 percent to 100 percent of normal levels around the region.



AP Photo/Rich Pedroncelli

California Gov. Gavin Newsom walks up the center aisle of the Assembly Chambers to deliver his first State of the State address to a joint session of the legislature at the California Capitol on Tuesday in Sacramento, Calif.

California governor scales back plans for high-speed train

By KATHLEEN
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Associated Press

SACRAMENTO, Calif. — California Gov. Gavin Newsom declared Tuesday there "isn't a path" for completing the state's plan for a high-speed rail line between San Francisco and Los Angeles, yet his office insisted he is fully committed to building such a project.

Newsom, delivering his first State of the State address, said he'd shift his focus to completing just a 171-mile segment of the line already under construction in the state's Central Valley. The project is key to the economic vitality of the state's agricultural heartland, he said.

A high-speed rail line linking Los Angeles to San Francisco was the goal when voters approved a ballot measure in 2008. The roughly 520-mile line initially was estimated to cost \$33 billion and was pegged for completion in 2020. Officials eventually hoped to connect the line to San Diego and Sacramento.

Subsequent estimates more than doubled the cost to \$77 billion and pushed the timeline to 2033.

"Let's be real," Newsom said. "The project, as currently planned, would cost too much and take too long ... Right now, there simply isn't a path to get from Sacramento to San Diego, let alone from San Francisco to L.A. I wish there were."

Newsom said he'd continue doing environmental reviews for the LA-San Francisco line and seek private investment to connect the Central Valley to the state's major hubs.

Newsom's spokesman Nathan Click said the governor is committed to completing the longer line with additional private and federal money "as the Central Valley section demonstrates the viability of the broader project."

The questions about Newsom's rail plans clouded his first State of the State address in which he outlined his vision for lead-

ing the nation's most populous state. California, he said, faces "hard decisions that are coming due" on clean water, housing and homelessness.

Newsom used the speech to contrast his administration with Brown's as much as he did to take issue with President Donald Trump. He blasted the president's views on immigration — Newsom called the border emergency "a manufactured crisis" — but also complimented Trump's calls for lowering prescription drug costs.

Trump has criticized California's high-speed rail plan. Newsom said the state risked having to return \$3.5 billion in federal money if building stops on the Central Valley leg or it doesn't complete the environmental reviews. Rail leaders have long said they do not have enough state money to complete the line. Private investment has been tied to getting more government investment.

Newsom did not provide any fresh details about how he planned to leverage or gather private money in a way his predecessors could not.

His speech left lawmakers with different interpretations of how the project would move forward.

Democratic state Sen. Anna Caballero, who represents part of the Central Valley, called the shift to a line only from Bakersfield to Merced "disappointing." But she said she hopes to see that line connected to other state hubs at some point.

"People need to see it move to really feel like it's important," she said.

Republican state Sen. Jim Nielsen of Fresno said Newsom's comments were an acknowledgment the full train would never be completed.

"It cannot be achieved, and the governor has essentially admitted it," he said. "This entire thing has now changed from whether or not there's going to be a high-speed rail to what's going to be left for Central California."

Snow: Some local businesses see profits from storm

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and staff had to make extra supply runs to meet guest needs, such as for breakfast fruits. The guests were in a tough situation, he said, so the staff sought to make them as comfortable as possible.

The hotel has 101 rooms, but Lynch said one room had ice forming on the inside of window, so they were down to an even 100. Hotel assistant manager Kimberly Jones said all the rooms filled.

"Right before this, we had 75 rooms," she said. "Within two hours we were booked."

Tuesday's break in the weather had most guests clear out. But Jones said the threat of another winter system coming in had some guests deciding to wait it out rather than risk getting stuck on an icy highway.

The Oregon Department of Transportation warned Tuesday that "troublesome" driving conditions would continue for the next three or four days, and Interstate 84 through the Columbia Gorge is a primary focus for snow and ice removal efforts.

A patchwork of snow, ice, rain and wind will make travel difficult, according to the release, and snow removal teams



Staff photo by E.J. Harris

Chris Golden uses a snow blower to remove snow next to a vehicle in the parking lot at Horizon Project on Monday in Pendleton.

are on duty 24-7 to keep the roadway clear.

Slick roads gave a small bump to Pendleton Tire & Auto, 25 Highway 11, Pendleton. Owner Scott Sullivan said most of that was from unprepared winter travel-

ers and semitruck drivers needing a fast fix on a flat. He said in the tire business, "if you don't have winter by Dec. 15, you're done."

After that date, he explained, people focus on Christmas, then New Years

and usually by Feb. 15 winter is over. His business like other tire shops by now is getting rid of winter inventory. He said he tells folks the span from mid-December to mid-February is a bit like life as an old preacher traveling the church circuit: "If you don't fast two days a week, you starve to death."

Kathy Baker said the storms hurt her business. She owns and operates the Fun Fashions Boutique, 165 W. Coe St., Stanfield, which she opens Tuesday through Saturday. But Baker said she had to lock the doors as the temperatures and snow fell. "I've been closed almost a week," she said. "It's horrible."

Much of that is because the building where the shop is housed is more than 100 years old and a burden to heat, she explained, and most of her customers come from Pendleton or the Tri-Cities, so winter weather can make for treacherous driving.

"I think this kind of weather is so hard on small business, especially mom-and-pop businesses like mine," Baker said.

While folks need groceries even in snowstorms, she said, they can put off buying a pair of shoes. She opened the store Tuesday and said she hopes to remain open the rest of the week.

Schools: Weather makes all the difference

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of required hours for the school year.

Hermiston School District has had two snow days so far this school year, on Tuesday, Feb. 5, and Tuesday, Feb. 12. Students will make up the first day this Friday, Feb. 15, which was initially scheduled to be a teacher workday. That teacher workday will now get added on to the end of the school year for staff members.

Hermiston Superintendent Tricia Mooney said many people are involved in the decision about whether to keep school open, includ-

ing her, other administrators, and Mid-Columbia Bus Company employees.

She said students have to meet a certain number of instructional hours each year, but the make-up process for schools has changed recently.

"Until two years ago, the district could count up to 14 hours of snow days as instructional hours, and that's gone away," she said. There is a tiered system, but she said students have to have about 990 instructional hours each year to be in compliance. There are some make-up days built into the calendar, such as this Friday, but she said if

there are more canceled days, they may have to add days to the end of the school year.

Pendleton School District Superintendent Chris Fritsch said they look at several things before making a decision on whether to cancel: current conditions, 12- and 24-hour forecasts, and whether buses, parents, and staff can safely transport students.

They look at whether the campus is safe, including parking lots and outside areas, and whether they have enough information to make a call the night before, instead of the morning of school.

Fritsch said the district will talk to the bus company around 4:30 or 5 a.m., and drive routes and make campus visits. They will gather information about conditions in different areas of the city, and then district administration will make a decision.

Mooney said they want students to be safe, and sometimes that means being in school even in snow.

"We keep in mind that school is a warm place, and a place where they can get two meals a day," she said. "So we want to get them there, because often, it's the safest place for them to be."