

Climate: Air horns can't stall action on climate bill

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the hearing room and overflow room, dressed in their well-worn pants, boots and suspenders. They apparently didn't feel heard in the brief, 20-minute hearing, so they took to their trucks. For an hour and a half after the hearing they performed an auditory assault on lawmakers, driving around the building blowing their loud airhorns to make sure lawmakers they were literally heard.

Under the cap-and-trade program, a 52 million metric-ton cap will be placed over 80% of the state's emissions. It would regulate nearly all sectors of the economy, excluding agriculture and forestry. Entities regulated by the cap, which are emitting at least 25,000 metric tons of greenhouse gasses per year, will have to buy allowances from the state for each ton over the limit.

If companies overestimate their need, they can sell those allowances on a marketplace linked to California and Quebec, Canada. If they don't buy enough, they can likewise purchase some on the marketplace.

The state will make fewer allowances available over time, a mechanism intended to force industry to undertake conversions that

reduce emissions. The targets are a 45% decline from 1990's level by 2035 and an 80% decline by 2050.

It's a wildly progressive proposal. Oregon's plan is in part based on California, but Oregon's economy is much smaller. The hope is to show other states that such a plan can work in smaller and more rural states.

However, Republicans have been staunchly against the idea, saying it will decimate the rural way of life, where people work in mills and factories that would be hurt by cap and trade. They drive longer distances, making the estimated 16 cent-per-gallon increase in gas costs more significant.

To that end, Republicans made a last-ditch effort to change the bill with amendments drafted by industry and one that would remove the emergency clause. Both those proposals failed on party-line votes, as they did the day before in the Ways and Means Natural Resources Subcommittee.

Despite the Democratic unity in the bicameral committee, all Democrats aren't lining up in support. Rep. David Gombert, D-Central Coast, said Oregon once had an environmental legacy due to things like bottle deposit and public beaches, but it's lost that legacy over

the years. The new policy is a chance to regain that reputation, but it will come at a cost, he said.

"I am concerned about my farmers, I am concerned about my dairies, I am concerned about my fishermen," Gombert said. "I am particularly concerned about my good men and women that work in the large mills in my small towns."

With 38 of the House's 60 members, Democrats can allow some of their own to dissent, whether it's because of a rural constituency or otherwise. In the Senate, the numbers are less forgiving.

Democrats need 16 of their 18 members to support the bill, and Johnson is already a no. Last week, it came out that several others were uncommitted, including Sen. Arnie Roblan, D-Coos Bay.

Roblan gave a "courtesy" yes vote to get the bill out of committee Wednesday, but said he is concerned about how the gasoline price increase will hurt rural Oregonians.

"I reserve the right to be a no on the floor, because I really have some other issues and conversations that I need to have before I feel really comfortable," he said.

However, moving the bill out of committee is a strong sign that leaders of the cap-

and-trade movement have secured the votes to get final legislative approval.

But another sign emerged of trouble ahead with a political threat to the already passed business tax designated to boost school funding.

Robert Freres of Freres Lumber on Wednesday made a \$1 million contribution to a political action committee leading the effort to send business tax to voters.

Freres is part of Oregon Manufacturers and Commerce, an industry trade association led by business lobbyist Shaun Jillions. Over the past couple weeks, Jillions has been active in trying to get Senate Democrats to reject the cap-and-trade plan. Jillions has said he would consider backing down from referring the business tax in exchange for a deal to kill or weaken cap and trade.

Asked if the donation indicated there would be no such deal, he said, "That's a fair assessment."

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Contributed photo by Umatilla County Fire District
Firefighters battle a fire near railroad tracks northeast of Hermiston on Wednesday afternoon.

Fire: Hermiston brush fire kicks off 2019 fire season

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that develop," according to the Weather Service, "will likely spread rapidly."

The Weather Service also advised against outdoor burning.

During fire season, people can do their part by following rules for controlled burns and campfires, keeping their vehicles well-maintained, clearing flammable brush from around structures and not being careless with fire hazards, such as cigarettes and fireworks.

Fire season is also smoke season. On Wednesday Senators Jeff Merkley and Ron Wyden introduced a package of four bills to help communities deal with the heavy wildfire smoke that has clouded Oregon skies in recent summers.

The Smoke-Ready Communities Act would make grants available for schools, public buildings and vulnerable households to make upgrades to "smoke-proof" their buildings and better filter smoke from indoor air. Other provisions in the bill include requiring farms to provide respiratory protection to farmworkers exposed to hazardous air conditions and authorize the Small Business Administration to provide financial relief to businesses that lose revenue due to wildfire smoke.

"Last August in the Rogue Valley, I looked up at a sun that was neon pink through the thick haze of smoke from wildfires," Merkley said in a statement about the need for the bill. "Business owners and organizations told me how the smoke caused lost reservations, canceled shows, and even irreparable damage at a furniture store after the fabrics absorbed the smoke smell. Folks told me about respiratory problems even indoors because HVAC systems weren't equipped to handle the level of pollution they were experiencing."

SAIF, Oregon's not-for-profit workers' compensation insurance company, recommends that businesses have plans in place for evacuations during fires, but also for protecting employees or sending them home when smoke pushes air quality to hazardous levels.

The Department of Environmental Quality now has an OregonAir app for mobile phones to easily check its air quality index, which can also be found online at <http://oraqi.deq.state.or.us>. When air reaches unhealthy levels, homes and businesses should clean HVAC filters, set air conditioners to recirculate air in buildings and vehicles, keep windows and doors closed, and keep people indoors as much as possible.

Judge: First CTUIR member to pass Oregon bar

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government.

Also under Johnson's guidance, the Umatilla tribal court was one of the first tribes to participate in a pilot program to prosecute non-Indians for domestic violence against Indians on the reservation. When the Violence Against Women Act was reauthorized in 2013, it included new provisions addressing violence against Native women by restoring tribal jurisdiction over non-Native perpetrators of domestic violence that occurred on tribal land. In 2014, the CTUIR was one of only three tribes initially allowed to participate in the program. Domestic violence is the only crime for which non-Indians currently can be prosecuted, though the court does preside over civil cases involving non-Indians.

Johnson, whose Indian name is Gray Wolf, described his judicial style in the courtroom as "casual."

"I like to inject some humor to relieve stress, because it's pretty stressful for a lot of people," he said. "I like to think that I am fair, but not a pushover. I listen pretty well."

His courtroom is small and similar in appearance to non-tribal courtrooms. He sits at the bench backdropped by three flags: CTUIR, Oregon and the United States. His docket is crowded as he presides over everything from criminal

cases to juvenile cases, traffic infractions or contract disputes.

Tribal Judge Dave Gallaher described Johnson's courtroom demeanor.

"He's imposing, but very courteous and respectful," Gallaher said. "He garners a lot of respect."

Johnson said he knows many of the people who come into his courtroom. Unlike non-Indian judges, he considers tribal culture in meting out punishment to defendants and litigants.

Many of the codes are similar to federal laws, such as the vehicle code.

"We can and do consider customs and traditions of the Tribe," he said. "It's important to us to honor and abide our elders' traditions. That's how we stay Indian."

CTUIR members have treaty hunting and fishing rights, but if they break the tribal fish and wildlife code (for example hunting from a vehicle or using commercial fishing gear in certain areas), they are sanctioned. If the crime is bad enough, the person can even lose the right to hunt or fish.

"We are the only court that can suspend treaty hunting and fishing rights as a punishment," Johnson said. "I don't like doing it, but I've done it a few times."

Johnson put aside thoughts of the courtroom to don his robe for the swearing-in ceremony. He walked the 100-or-so yards from his office to the building's drum-shaped central area.

The ceremony was a simple affair. Two tribal elders had died this week, and in keeping with tradition, the event stayed low-key without much pomp or the usual cake celebration afterwards.

Johnson raised his right hand and swore the oath.

"I, William D. Johnson, do solemnly swear that I will support the Constitution and laws of the Umatilla Indian Reservation, and the Constitution of the United States and that I will faithfully and impartially discharge the duties of chief judge of the Tribal Court of the Confederated Tribes, respecting and honoring the tribal customs and traditions of the people of the Cayuse, Umatilla and Walla Walla Tribes."

Watching from the circular sidelines with colleagues, family and friends was Johnson's son, Matthew Johnson, a CTUIR attorney in his own right, wore a serious expression as he listened to his father swear the oath and thank his mentors, colleagues, family and community.

Afterward, Matt grinned when asked about growing up with a judge for a dad.

"It comes very naturally to him," he said. "I was definitely on the receiving end of many lectures growing up."

Looking back from the passage of years, he acknowledged his father's skillfulness at rendering opinions.

Council: Pendleton City Council sets rules for buying current fire station

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and offer more amenities that have an attractive design and inviting appeal."

Through the letter, the city also said it was open to a public-private partnership that includes "regulatory and permitting assistance," "offsite infrastructure," and "financial resources."

The council's selection will get the 31,272-square-foot property, which includes the fire station, a small parking lot, and two houses the city rents out.

Although the city could be compensated for the building, it doesn't know its exact worth: City Manager Robb Corbett said the building hasn't received an official appraisal.

The city plans to lead a

pre-submission tour of the fire station property to interested parties on July 11 and set an Aug. 7 deadline for all submissions.

Community Development Director Tim Simons said the council could select a project from the entirety of the submissions or whittle it down to a handful of finalists.

City Manager Robb Corbett said he's already received interest in the property from a few nonprofits, which drew a question from Councilor Paul Chalmers about whether they were even going to consider them.

Adding that he didn't have "heartburn either way," he said many of the discussions around the urban renewal district, which encompasses the property, have revolved around ways to grow prop-

erty tax revenue. If a non-profit acquired the property, it could obtain tax-exempt status.

"Why would you wanna encourage (a nonprofit) who is a 501(c)(3) to come together with this plan, (and) expend the energy and effort, if it's not even going to be a consideration?" he said.

Councilor Dale Primmer countered that he doesn't want the proposals limited by the council's imagination.

Corbett said city staff would make some revisions to the request for proposal letter and then release it to the public.

"I think the citizens will hold our feet to the fire that we get the very best out of this that we possibly can," Councilor Carole Innes said. "As they should."

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