

Ballot title certified for revived animal cruelty initiative

By **GEORGE PLAVEN**
Capital Press

SALEM — A controversial voter initiative in Oregon that would remove exemptions for farming and ranching under the state’s animal cruelty laws is being revived for another run.

Proponents of Initiative Petition 3 — named the Abuse, Neglect and Assault Exemption Modification and Improvement Act — took another step toward qualifying for the 2024 general election after being issued a certified ballot title on June 13.

IP3 is essentially a reboot on Initiative Petition 13, which was filed last year for the 2022 election. It calls for amending Oregon’s animal abuse and neglect statutes, abolishing longstanding exemptions for agriculture.

The result would make it a crime to slaughter livestock for food, while also banning common animal husbandry practices such as branding and dehorning cattle. Artificial insemination would furthermore be considered sexual assault of an animal, a Class C felony.

Exemptions for hunting, fishing, rodeos, pest control, scientific research and wildlife management would likewise be stripped away under the proposal.

According to the “Yes on IP3” campaign website, the laws would retain exemptions for killing or injuring animals in cases of self-defense and providing veterinary care.

David Michelson, a Portland-based animal rights activist and lead organizer for the campaign, said IP13 failed to garner enough signatures for the 2022

ballot because, “unlike the claims some have made that we receive funding from the likes of (George) Soros or (Bill) Gates, this is a very grassroots initiative that had started with very few team members.”

“Since we started this process in November 2020, we have steadily grown in support and are hopeful of our chances for qualifying in 2024,” Michelson said in response to questions emailed by the *Capital Press*.

Petitioners filed IP3 on March 16. It is largely the same as IP13, but with two

additions, Michelson said.

First, he said IP3 would remove additional exemptions for livestock and farmed animals under animal neglect statutes requiring they have access to “adequate bedding, adequate shelter and other minimum care provisions.”

Second, the initiative would make it so that anyone convicted of animal cruelty could not own any animal for 5-15 years, depending on the severity of the crime.

While the attorney general did certify the ballot title for IP3, supporters are

not yet approved to start circulating the petition. Those who commented on the draft ballot title for IP3 may appeal the certified title to the Oregon Supreme Court. Appeals are due June 28.

If approved, the campaign would need to collect 112,020 signatures to place IP3 on the 2024 ballot.

Tami Kerr, executive director of the Oregon Dairy Farmers Association, said IP3 would put dairies and cattle producers out of business, hurting rural communities statewide.

Industry groups challenge heat and smoke workplace rules

By **SIERRA DAWN MCCLAIN**
Capital Press

SALEM — A coalition of Oregon business and timber groups is challenging the state’s new workplace rules on heat and wildfire smoke.

Oregon Occupational Safety and Health on May 10 adopted permanent rules intended to protect workers, including farmworkers, from high heat and wildfire smoke. The rules instruct employers on how to provide workers with shade and water, breaks and other preventative measures.

Last week, industry groups challenged these rules, arguing the guidelines are too vague.

“The provisions ... are so vague that they do not provide employers, including plaintiffs’ members, with fair notice of what conduct is required or proscribed,” the suit alleges in court documents.

The lawsuit, filed June 15, asks the U.S. District Court for the District of Oregon Medford Division to issue a temporary restraining order preventing Oregon OSHA from enforcing the



Tim O'Hara/Forest Resources Association

H-2B workers plant new seedlings. Business and timber industry groups are challenging Oregon Occupational Safety and Health’s new workplace rules on heat and wildfire smoke.

rules while the court considers whether to block their enforcement permanently.

The coalition that brought the suit included Oregon Manufacturers and Commerce, Associated Oregon Loggers Inc. and

Oregon Forest Industries Council.

Defendants are OSHA and the Oregon Department of Consumer and Business Services. The suit also named agency leaders, Oregon OSHA’s acting

administrator Renee Stapleton and Oregon DCBS’s director Andrew Stolfi, as defendants.

Sara Duncan, spokesperson for Oregon Forest Industries Council, said the council considers OSHA’s

rules unreasonable.

“Given extraordinary events like the 2020 Labor Day wildfires and last summer’s heat dome, we agree with all Oregonians that the health and safety of employees must be prioritized, and employers should adapt as we acclimate to a changing climate,” said Duncan. “But these rules aren’t all reasonable — many go far beyond extreme events and are dramatically more strict than any other state.”

Duncan pointed out, for example, that the air quality index requirements under Oregon’s new rules are twice as stringent as California’s rules.

According to Oregon OSHA, the heat rules apply to outdoor and indoor work activities where there is no climate control when the heat index equals or exceeds 80 degrees Fahrenheit.

These requirements, Duncan of OFIC said, “will significantly restrict work in benign circumstances like a typical Oregon summer day.”

Industry groups are also concerned about smoke-related rules. In court documents, plaintiffs allege that the rules “do not distinguish between contributions to the

Air Quality Index level from wildfire smoke in comparison to other pollutants” and don’t give employers a method by which to determine whether particulates from wildfire smoke are present at a work site.

Rex Storm, executive vice president of Associated Oregon Loggers Inc., another plaintiff, said he “concurs” with Oregon Forest Industries Council’s statements, though he did not elaborate.

Oregon OSHA spokesperson Aaron Corvin said the agency’s staff “do not comment on pending litigation.”

PCUN, an Oregon-based farmworker union, expressed frustration that business groups filed the lawsuit.

“We’re frustrated to see corporate lobbyists and lawyers attempt to delay the recently-adopted heat and smoke standards from going into effect, right as summer heats up,” said Reyna Lopez, PCUN’s executive director and president.

Oregon OSHA’s rules, she said, provide workers with “common-sense protections such as access to cool water, shaded rest areas and additional breaks in high-heat temperatures.”

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