

Local & Region

Democrats propose strategy to deal with rising PERS costs

By Sarah Zimmerman
Associated Press

SALEM — Democrats unveiled a plan Friday to rein in Oregon's rising pension costs, a peace offering to Republicans who have shut down the Senate this week demanding reform to a system that's racked up over \$25 billion in debt.

The proposal, which has been in the works for around two months, relies on mitigating employee contributions and refinancing the state's pension debt to shield public employers from facing the brunt of upcoming rate hikes.

"It is putting money into the system, which is allowing us to not have to pay such high rate increases," said Speaker of the House Tina Kotek following a hearing on the proposal.

The proposal was released less than an hour after Republicans skipped a Friday Senate vote on a \$1 billion a year increase in classroom funding, which would be paid for through a half a percent tax on some of Oregon's most affluent businesses.

This marks the seventh time in four days Republicans have denied the chamber enough members to formally conduct business. Republicans say the unusual move,

which was last employed by Democrats in 2001, is the only tool they have to air their grievances.

Republicans say they refuse to vote on any new education funding that doesn't address the state's Public Employment Retirement System, known as PERS. Teachers are just some employees covered by the system, and Republicans claim that any new funding will be diverted to pay down rising pension costs.

For years, PERS has been paying out more in benefits than it has taken in in contributions, causing debt to skyrocket. That has caused rate hikes, forcing public agencies to pay more into the system each year.

Senate Democrats are proposing redirecting some employee benefits to help pay down the funding liability.

Employees currently pay 6% of their salary into a 401(k)-type retirement plan, a separate account from the public pension fund. Under the Democratic plan, 2.5% of the 6% in contributions would be used to help fund PERS.

Employees on the plan known as OPSRP, which has less generous benefits and makes up the majority of active public employees, will only have to mitigate .75% of their

contributions.

That idea would mean less money for employees' individual pension accounts, but it would also lower PERS costs for school districts and other public employers who pay into PERS.

But that's a no-go for unions, who said it would cut retirement benefits anywhere from 7 to 12.5%. A coalition of public employee unions said it's willing to sue the state if the Legislature moves forward with the plan.

"Oregon educators have shown time and time again that they will stand up for their students," said John Larson, president of the Oregon Education Association. "If lawmakers turn their backs on educators and cut retirements, we will see them in court."

Employers face a significant 5.5 percentage point rate increase in 2021, but Kotek said Democrats' plan could mitigate the rate hike's impact possibly all together.

"Not only would there be any increase, it might even provide rate relief," she said.

She added that the cuts only target one aspect of an employee's retirement benefits, and the overall impact on employees would be less than that 7% to 12% range.

That's a difference from the governor's plan, which would have only insulated educators from rate hikes by requiring more contributions from employees and siphoning cash from other accounts for one-time payments.

Democrats are also suggesting restructuring repayments for employees on the Tier 1 and Tier 2 pension plans, which enjoys the most generous benefits and is one of the main contributing factors to the state's unfunded liability. The plan would extend repayment from 20 years to 22 years, lowering the state's yearly payments but at the expense of incurring more costs in the long run.

It remains unclear whether the plan is enough to coax Republicans back to the Senate when it reconvenes today. Kotek said that crafting the proposal was a "bipartisan conversation," but wouldn't detail the main players at the negotiating table.

Sen. Tim Knopp, the Republican from Bend who has acted as a liaison for conservatives, said he hasn't seen the plan but that, on its face, the ideas presented are "constitutional and move us in the right direction."

A public hearing for the proposal is set for Tuesday.

REGIONAL BRIEFING

Log jam on South Fork of Payette River leads to warning for river users

BANKS, Idaho (AP) — A log jam on the South Fork of the Payette River has led the Boise National Forest, along with emergency responders and river experts, to issue a stark warning to river users.

KTVB-TV reports that the log jam and current river conditions make the area extremely dangerous.

The log jam is built up at the Dog Leg Rapid, which comes out of the Bronco Billy Rapid. It's not safe for the inexperienced river user.

In a news release, forest officials said: "Rubber rafts, kayaks and pontoon boats are a concern because the course of the river and its strong current could pull them directly into the log jam."

Forest officials are working on a plan to safely remove the log jam but don't have a timeline for when or how that can be done.

FBI offers \$10,000 reward in search for missing 5-year-old Washington girl

VANCOUVER, Wash. (AP) — The FBI is offering a \$10,000 reward for help in the search for a missing 5-year-old girl.

KATU-TV reports that last October, authorities say Esmerelda Lopez kidnapped her daughter, Aranza Lopez, at a Vancouver, Washington, mall.

The FBI is assisting Vancouver police in the search. They believe Aranza and her mother are in Mexico.

Lopez is facing charges of custodial interference. Prior to this, she also allegedly kidnapped and robbed a man.

Deschutes County Sheriff initiates high-speed chase that ends in injury

BEND (AP) — Deschutes County Sheriff Shane Nelson initiated a high-speed chase north of Bend that resulted in an injured Bend Police officer and police dog and a totaled squad car.

The Bend Bulletin reports the chase led to the arrest of a 19-year-old Lake Oswego man described by police as impaired and suicidal.

Nelson did not return messages left Friday.

About 2:20 p.m. Thursday, a person called 911 to report that Zenler Clairmont was impaired and driving south on U.S. Highway 97.

Clairmont continued south at high speeds, at times crossing into oncoming lanes and avoiding attempts by officers to stop him by using spike strips.

Nelson abandoned the chase after driving over spikes set up to stop Clairmont.

The pursuit ended when Clairmont struck a Bend Police patrol car on the side of the road, causing extensive damage to both vehicles.

Portland police say dog shot while walking near high school campus

PORTLAND (AP) — Portland police say a dog was shot at Southeast Portland high school.

KGW-TV reports at about 10:30 p.m. Friday police responded to a report of a dog shot at Grant High School at Marshall Campus.

The caller said he was a custodian who said the dog's owner reported the shooting to him and then left with the dog.

Officers found the dog, a hound type, and the owner at a nearby animal shelter. The dog had been injured by gunshot wounds.

It's unclear if the dog's injuries are life-threatening. During an investigation, officers learned the dog's owner had been exercising the dog on school property when an unknown suspect fired at the dog.

Oregon Supreme Court says police can't search trash without warrant

■ Ruling overturns more than 50 years of state case law regarding garbage privacy

PORTLAND (AP) — The Oregon Supreme Court disagreed with more than 50 years of state case law by ruling that Oregonians retain a privacy interest in the garbage they leave on the curb for pickup.

That means police can't simply rummage through it even after a truck hauls it away.

The Oregonian/OregonLive reports the court wrote on Thursday that the state's residents have a reasonable expectation that after they leave their trash in opaque bins covered with a lid, no one will inspect it without a warrant.

"In our view ... most Oregonians would consider their garbage to be private and deem it highly improper for others — curious neighbors, ex-spouses, employers, opponents in a lawsuit, journalists, and government officials, to name a few — to take away their garbage bin and scrutinize its contents," Justice Lynn Nakamoto wrote in her 6-1 majority opinion.

The Supreme Court ruled in the case of Tracy Lynn Lien and Travis Allen Wilverding, who shared a home and were convicted of methamphetamine dealing after police from the 16,000-resident city of Lebanon asked the community's garbage hauling company, Republic Services, to pick up and set aside the contents of the pair's garbage on collection day in 2014.

Police then dug through that trash, found evidence of drug activity and got a warrant to search the home. That led to the convictions.

The high court found that police had violated the Oregon Constitution's protection against unreasonable searches because Lien and Wilverding had privacy interests in their trash and

because the garbage hauling company acted as "an agent" of police by collecting the trash for a detective.

In setting aside their convictions, the Supreme Court reversed earlier decisions by then-Linn County Circuit Judge Daniel Murphy in 2014 and the Oregon Court of Appeals in 2017.

The ruling clashes with all or part of past rulings by the Oregon Supreme Court in 1968 and 2007, when the

high court OK'd warrantless searches of trash collected by motel maids or curbside garbage haulers. In both of those cases, what police found led to drug convictions for the suspects.

The majority opinion noted that even the U.S. Supreme Court has said Americans don't have a reasonable expectation of privacy "in trash left for collection in an area accessible to the public." But the U.S. Supreme Court also

said individual states are free to impose "more stringent constraints on police" based on their own constitutions.

Thursday's ruling applies to curbside refuse collected from private homes. It doesn't appear to apply to trash thrown in public garbage cans in public places. It's unclear how the ruling might affect residents of condominiums or apartments, where trash is thrown in communal bins.



Celebrating National Nurses Week and Healthcare Week

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