

Critics urge legislators to reject handgun limits

By Kevin Harden
Oregon Capital Bureau



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A Senate hearing on legislation to alter state gun laws drew a cavalcade of passionate opposition.

Members of the Senate Committee on Judiciary and Ballot Measure 110 Implementation heard four hours of virtual testimony Monday on Senate Bill 554, which allows local jurisdictions to prohibit people with concealed handgun permits from carrying firearms into public buildings. Anyone caught with a firearm in a public building could face Class C felony charges.

A bill in the Oregon Legislature would affect people with concealed handgun permits.

The bill is necessary, advocates say, because state law allows people with concealed handgun permits to carry

firearms into some public buildings. It was the first time this session that the committee heard testimony on gun-related legislation. Committee members were slated to discuss SB 554 again during an online work session today, Feb. 25. Most of the more than 200 people who testified online told the committee that the legislation seemed like a “mean-spirited” slam at law-abiding people who went through a legal process to get a concealed handgun permit. A total of 330 people wanted to speak in person, but the committee ran out of time to hear them all. The

committee's witness registration list was 27 pages long. More than 630 people submitted written testimony. Sen. Kim Thatcher, a Keizer Republican and committee vice chairwoman, said after the hearing that gun issues always draw a big response. “Gun legislation, especially legislation that targets members of the public who don't commit crimes (concealed handgun license holders), will always be controversial,” she said. “It deals with constitutional rights.”

who testified told the committee the legislation was necessary to protect public buildings. Some also warned against adopting the bill, claiming it would criminalize otherwise lawful behavior. Yamhill County Commissioner Lindsay Berschauer told the committee that as a sexual assault survivor and single mother, she obtained a concealed handgun permit for protection. She said SB 554 would create a “minefield of gun-free zones” across the state.

Public officials ‘vulnerable’

A handful of city and county officials

See Gun Bill / Page 5A

COUNCIL

Continued from Page 1A

Alderson is the city's representative on the county's seven-member transient lodging tax committee.

Waggoner said, “I think what it is is we've all got a stake in it. Baker City, Baker County, and all of our outlying cities. I do have concerns with the oversight issues but I think if Baker County commissioners will work with us and get these issues fixed and maybe get us more representation on this board, anything is possible.”



Waggoner

2006 agreement

Since July 1, 2006, Baker County has administered the lodging tax program both inside the city and elsewhere in the county.

Guests at motels, bed and breakfasts, RV parks, vacation rental homes and campgrounds pay the tax, which is 7% of the rental rate. The county then collects the tax from each of the establishments on a quarterly basis.

In the 2018-19 fiscal year, guests at Baker City lodging businesses paid about 71.6% of the taxes — \$244,000 of \$341,000.

A county ordinance prescribes in general how the money is spent — 70% for tourism promotion, 25% for economic development, and 5% for the county's expenses to administer the tax.

The basic idea with lodging taxes is to use the money to bring more visitors to the area, who will themselves pay the tax.

The county commissioners, in determining how the tourism promotion and economic development money is spent, are advised by the transient lodging tax committee and by the Economic Development Council.

If the city ended the 2006 agreement with the county, then the city would be responsible for collecting the tax within the city limits, but also have the authority to decide how the money is spent.

Councilors' views

Perry, who said she spoke with the Oregon Government Ethics Commission to ensure she didn't have a conflict of interest due to her involvement with Baker City Events, said she has had wonderful partnerships with the lodging tax committee, the Chamber of Commerce, and Travel Baker.

“I think the way it is set up is working very well,” Perry said. “There are some oversight issues that maybe the county could work through, the issues I've heard from people; they're not happy about some of the possible conflicts of interest. I think that it's best to bring those things that we're hearing to

“I think the way it is set up is working very well.”

— Lynette Perry, Baker City Council member

the county and let them work on that.”

McQuisten also cited potential ethics issues related to the lodging tax committee.

Drew Martin, the county's attorney, addressed those issues in a Sept. 24, 2020, letter responding to questions posed by county commissioners.

Those questions stemmed in part from the county's consideration of awarding a contract for operating a visitors center, using the share of the lodging tax money allocated for tourism promotion. The current contract, for about \$77,000 per year, is with the Baker County Chamber of Commerce.

In late 2019, responding to the county's request for proposals to operate a visitors center, both the Chamber and Anthony Lakes Mountain Resort submitted proposals.

County commissioners have yet to award a new contract. Both the lodging tax committee and the county's Economic Development Commission recommended county commissioners award the contract to Anthony Lakes.

One of the potential conflicts that Martin addresses in his letter is that Chelsea Judy, an Anthony Lakes employee, also is a member of the lodging tax committee.

But other members of the committee said Judy recused herself from discussions about the committee's recommendation for awarding the visitor services contract.

During Tuesday's Council meeting, Alderson said he doesn't believe the city can afford to administer the lodging tax, which it would have to do if it severed the agreement with the county.

Alderson also said that the city would have to update “a whole list of ordinances that are out of date” since the city has relied on the county to administer the lodging tax since 2006.

McQuisten disagreed. She contended the city would need only to notify the county that it intends to cancel the agreement — it requires a 60-day notice — then update city ordinances to reflect the city taking over the responsibility for collecting the tax inside the city limits. “It's not complicated,” McQuisten said.

She said that without an estimate of how much it would cost the city to administer the tax, she can't conclude that the city couldn't afford to do so.

The county spent \$20,729 to administer the lodging tax in 2018-19.

Spriet said he supports keeping the city's agreement with the county in place because he believes the over-

whelming majority of Baker City business owners want to do so, based on testimony councilors heard Tuesday and from emails and phone calls from residents to councilors.

“I have heard very, very little with regard to anybody agreeing with the separation,” Spriet said. “I think we're alienating businesses if we do this.”



Spriet

McQuisten said the central issue is making sure the tax money is spent to the greatest benefit of local businesses. She pointed out that most of the lodging taxes are paid by guests at establishments inside the Baker City limits.

“It's our responsibility to make sure that that's managed as well as it could possibly be managed,” McQuisten said. “Over the last year, I know there have been great things that have happened and there have been concerns.”

Citizen testimony

Councilors heard from several business owners and others about the lodging tax.

Carrie Folkman, owner of Mt. View RV Park, which collects the lodging tax from its guests, asked in an email that councilors avoid taking any action on withdrawing from the agreement with the county.

“My concern tonight is that this item has been brought to the council as an action item and not a discussion item,” Folkman said. “This is a very serious discussion that I think needs to be had.”



Folkman

Folkman said she was surprised to hear that the idea of the city canceling the 2006 agreement hadn't been brought to lodging establishments and other stakeholders.

Folkman said in her letter that she had been involved with both the Chamber of Commerce and lodging tax committees at both the city and county over the years.

Folkman said she was a member of the committee that approved the agreement between the city and county, and that the group decided it was better to “pool our dollars” rather than have the county and city pursue separate strategies in spending the lodging taxes.

“We worked very hard, decided to pool those funds together, take all of the outlying communities and work to do what was best for Baker County because whatever is best for Baker City is best for Baker County,” Folkman said. “For my business, I need the rest of this county to do well in order for my business in Baker City to do well.”

Ginger Savage, executive director of Crossroads Carnegie Art Center and a member of the Baker County Transient Lodging Tax Marketing Com-

mittee, also addressed the Council.

“This discussion of pulling out of the interagency agreement has, in the past, been debated and debated,” Savage said. “We have too few resources in the county to dilute the longstanding working of so many to promote this county. The layer of bureaucracy you would have to add takes away from the possibilities of what we could do.”

Tom Hughes of Baker City told councilors he has heard from motel owners, whom he didn't name, that they're not seeing a benefit from the way the county is spending lodging taxes.

“I give my recommendation the city take it back over,” Hughes said.

Mike Downing, a former City Councilor, said he works with the Sumpter Valley Railroad and has seen a benefit from lodging taxes.

“The TLT tax has helped market our railroad, we are 501(c)(3),” Downing said. “It has helped market our railroad to a great extent.”

Although the historic railroad had fewer passengers from outside the U.S. in 2020 due to the pandemic, Downing said riders continue to arrive from across the country, something he attributes to marketing paid for with lodging taxes.

“If this was severed I am very concerned that it could cause other ramifications to multiple Baker City businesses that our ridership stays with when they are here but also county services that are provided to county residents as well as city residents,” Downing said.

Tyler Brown, the current chairman of the county's lodging tax committee, talked about the history leading to the 2006 agreement, including many meetings involving mayors from cities across the county.

The goal, Brown said, was to promote the entire county as a tourist destination.

“I think we're alienating businesses if we do this.”

— Jason Spriet, Baker City Council member

“We made the recommendation to go to a county-wide transient lodging tax to include everybody,” Brown said. “I think it's been effective.”

Travis Cook, a member of the Baker County Chamber of Commerce and owner of Copper Belt Wines, told councilors that approximately 65% of his revenue comes from tourists.

“While many of my winery counterparts in the Willamette Valley have annual marketing budgets well in excess of my annual sales, I have to rely on the joint advertising effort to the area spearheaded by the current TLT agreement,” Cook said.

Cook asked the councilors why they are opposed to the current TLT agreement, how is creating a second governing body a more efficient way of managing these resources than what is currently in place, and how could the new agreement or arrangement be of greater benefit to his business.

Ryan Chaves, who owns Glacier 45 distillery in Baker City, urged councilors to continue the agreement with the county.

“Now is not the time to change the process,” Chaves said. “This is not the time to make changes that will affect businesses. I heard from 20 businesses in a day and a half, saying ‘why is this happening?’”

“In the last five years TLT has done more for this community than in the 15 years since I've been back in this community doing business,” Chaves said.

Bev Calder, owner of BELLA Main Street Market, said she was a city councilor when the city made the agreement with the county to administer the lodging tax.

She urged councilors not to make an abrupt decision.

“This came too quickly,” Calder said. “15 years ago the council spent months talking about how they were going to make a better use of those dollars.”

Calder said 50% of her business comes from tourism revenues.

Brian Vegter, co-owner of the Churchill School, encouraged councilors to maintain the agreement with the county.

“As somebody who spent my entire time here in Baker working on things that are related to tourism, arts, culture and recreation and as a lodging partner, I think this would be a very bad thing for all involved,” Vegter said.

County Commission chairman responds

Bill Harvey, chairman of the Baker County Board of Commissioners, asked councilors to work with commissioners rather than sever ties.

“Let's work together, let's make a better program,” Harvey said.

County commissioners are slated to discuss the lodging tax during their March 3 meeting. Harvey said the current strategy is intended to benefit businesses in Baker City and elsewhere in the county.

“When somebody comes to Baker County, if they're going to go out to Richland, or if they're going to Haines, or they're going to go to Anthony Lakes, or something, they stop in Baker first,” Harvey said. “They buy groceries, they buy gas, they buy a meal, stay in a hotel. Then they go to the excursion that they planned on but then they come back to Baker City and they spend money again on their way home.”

Bryan Tweit, the county's contract economic developer, said he believes having Baker City and Baker County have separate lodging tax administrative systems “makes zero sense.”

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